

The Effective Role Of Gram Sansad In An Endowment Of Villagers' Decision: A Case Study On Rakhakura Village Of West Bengal.

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Abstract:

In the face of rapid urbanisation in the last few decades, the skyrocketing high demand for electric power has brought about open-cast coal mining on a massive scale with positive impacts such as economic growth and infrastructure development. However, open-cast coal mining brings adverse environmental, ecological, and social consequences such as degradation of habitats, displacement from settlements, losses of traditional livelihoods and pollution.

Conflicts of interest between the inhabitants of upcoming open-cast coal mine regions and the beneficiaries of the coal mine have been prominent in many parts of our country. While popular media highlights the topics such as mass resistance of the villagers or the political movement of the opposition parties against the mining initiatives, this study tries to illuminate a case of non-violent communication that was able to abdicate the imposed opinion of the powerful authority, capitalizing on the Constitutional power of Article 243G under Eleventh Schedule of Panchayati Raj.

According to Article 243G of the Constitution, State Legislatures may by law endow Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government. In West Bengal and Tripura, such institutions in the panchayat regions are represented as Gram Sansad.

The residents of Rakhakura Gram Sansad under Churuliya - 2 Panchayat in Jamuria block of undivided Burdwan district, in 2003, were able to rule out the land acquisition notice for the open-cast coal mining project, issued by the district collector, with the power of Gram Sansad.

This present paper is based on a case study of the participatory experience of Gram Sansad mobilisation, in West Bengal. This had been an exceptional case, which showed, unlike the realities of West Bengal villages, the knowledge of the villagers about the importance of Gram Sansad and awareness about the power of Gram Sansad was so conducive that just the passing of legislation brought the desired changes.

Key Words: *Urbanisation, Displacement, Traditional livelihoods, Open-Cast Coal Mining, Non-violent Communication, Constitutional power, Panchayati Raj, Gram Sabha and Gram Sansad.*

Date of Submission: 22-02-2025

Date of Acceptance: 02-03-2025

I. Introduction

A state-controlled formal system of self-governance was introduced in undivided India during the British regime. However, the voice of common villagers was unheard and the local governance was dominated by the prominent, mostly upper-caste Hindu, and Muslim wealthy villagers. The great Nation-builders and visionaries of independent India felt need for having a system of local governance in the rural areas and hosted this issue as one of the Directive Principles of the Constitution; the Article 40 of which says that "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

Historically the institutions of self-governance existed in diverse forms in India.

In the modern Indian state, absorption of the opinions from the bottommost rural corpus by enabling participation has been lacking in the policy-building mechanism, if not in theory but in practice. This intended disinclination of the political and bureaucratic bodies to bring up the participatory decision-making procedure for the hitherto voiceless rural population and impositions of the institutional decision on the grass-root communities, instead, are deeply rooted in the stubborn imprints of colonialist mindset. The political philosophy of Immanuel Kant on questions of freedom and rights indoctrinated a theory where "passive" members of the state would not be allowed to take part in the legislative self-governance of the economically and socially independent citizens. Kant used empirically-based reasoning to argue that the 'full citizenship' does not extend to all. He excluded women, children and those who was not "one's own master", i.e. lacks

economic self-sufficiency. Hence, decision making is not universal. According to Kant's view, a republican government need not require actual participation of the common people in making state's policies and law but an elected representative legislator is the best eligible person to ensure the policy-making legislative power on behalf of public will. (Krasnoff, Larry, Nuria SanchezMadrid and Paula Stane, 2018. *Kant's Doctrine of Right* Cardiff: University of Wales Press). The influence of Kantian thoughts in 21st Century, passed through the approaches and orientations of the elite stake holders in the modern forms of rules, which have perpetually been justifying the negligence towards implementation of participatory self-ruled decision making power of the rural mass. However, the post-colonial Indian democracy continues its effort to bridge the gaps between the vastly diverse opinions of the people of the bottommost layer and the top-down archetypes in the decision-making mechanism of the centralized bureaucracy.

Given the need for establishing a system of local governance, i.e., the Panchayats, in the rural areas of the entire country, the Constitution was amended in the year 1993 (73rd Amendment Act in 1992 and was passed in both houses and entered into force from 24th April 1993) and that made the Panchayats to be the third stratum of government (along with Municipalities in the urban areas) of the country. The Act empowered state governments to take the necessary steps that would lead to the formalisation of the gram panchayats and help them operate as units of self-governance. This is an important part of polity and governance segment.

This Act added a new chapter to the Constitution called 'Part IX: The Panchayats'. This Constitutional Amendment has empowered Gram sabha /Gram Sansad to strengthen the planning process at the grass root level, by the villagers and for the villagers. Imprudently, most game changing powerful instrument of functional democracy in our country does not draw any attentions of the social and political agencies. Most of the villagers are not aware about this powerful instrument of self-governance in the domain of Panchayati Raj. Reluctance in giving this information about decision-making power to the voiceless commons has overtly been evident among the people who enjoy pivotal positions in administrative hierarchy.

This paper will present an exceptional case of villagers' autonomy by following the process of Gram Sansad, in West Bengal. It was instigated by a non-party trade union of the unorganised labourers of a Coal mine in a remote village of Bardhaman (at present West-Bardhaman), in the year of 2003.

Evolution, Diverse Forms and Modus Operandi of Gram Sabha:

Historically, different forms of self-government, in ancient times evolved in various parts of the world. The system of democratic deliberation in the Indian subcontinent can be traced back to the age-old unique traditional community-based institutions of Tribal societies in the Indian subcontinent. The customary laws of the tribes encompassed all spheres of their activity and jurisdiction of the traditional council was all pervasive thousands of years before the introduction of statutory Panchayati Raj system in India. (Rao, 2017). The mention of deliberative institution is found in the historical account dates back to at least 5 BC (Sen, 2006).

During British rule, the Bengal Village Chowkidari Act was passed and introduced in 1870 and formally village self-government was introduced in Bengal Province. According to this Act, the services of village chowkidar (village night-watchmen) were placed under the control of a village body named as 'Panchayat'. The modern use of deliberative institutions was referred by Henry Maine, who was inspired by British documents on indigenous systems of autonomous village governance and developed a theory of 'decentralized government' for culturally, socially and economically diverserural communities (Main, 1880. In 1882, British Viceroy Lord Ripon took up some of Main's suggestions, reforming local government to provide "political education" and revive India's indigenous method of governance (Tinker, 1968).

Mohandas Gandhi weaved his "Gram Swaraj" dream from the fabric developed by Henry Main's understanding of rural self-governance for Indian villages. Gandhi ji saw a self-reliant village and decentralized power as the ideal to which an "Aasli swaraj" (Real Independence) of India should aspire to realise. (Mentena, 2010). He suggested that a loose federation of villages – the *Panchayati Raj* – would produce a system of democracy based on local participation and cooperation. However, B.R. Ambedkar, an advocate for the rights of Dalits (formerly untouchables) and the primary architect of the Constitution, opposed this Gandhian idea and asked "What is the village but a sink of localism, a den of ignorance, narrow -mindedness and communalism?" (Immerwahr, 2015, p. 86). As a result, Gandhi's proposal was not able to gain sufficient political support during the Constituent Assembly Debates due to concerns that illiteracy, inequality, and hierarchical social structures in rural India would prevent limit the effectiveness of participation from the powerless sections of villagers.

Despite Baba Saheb's rejection, the outline of village democracy did not entirely disappear from the Indian constitution, however; Article 40 (Part IV of Constitution of India, Directive Principles of the State Policy; Article 40) stated that "the State shall take steps to organize village *panchayats* and endow them with such powers and authority as may be necessary to enable them to function as units of self-government." This article was non-binding, but some state governments did establish formal village democracies. India's largest

stage, Uttar Pradesh, eventually developed a novel form of deliberative institution – the *gaon sabha* – which was convened twice a year to debate and set priorities for the village (Retzlaff, 1962; Tinker, 1968).

It was understood by the international political economic forums that the optimum utilisation of human resources could not be achieved without participatory development. This realisation coincided with the release of a 1957 report submitted by the Balwant Raj Mehta Committee, which proposed decentralizing democracy into three tiers of local government. This proposal, known as *Panchayati Raj*, was intended to empower local development efforts (Mehta, 1957). Yet, the *panchayati* structure fell short of Gandhian ideals of democratic self-governance as more powerful and wealthy participants tended to undermine proposals that would have improved equality (Immerwahr, 2015, p. 92).

After the publication of the *Panchayati Raj* proposal Panchayat Act was passed in different states. The West Bengal Panchayat Act of 1957 was passed for establishing Panchayats in the state. The Act recommended a system of 2 tier bodies by splitting the earlier Union Board in to Gram Panchayat and Anchal Parishad. In 1963, West Bengal Zilla Parishad Act was passed and it replaced the District Board, and introduced Anchal Parishad at the block level. However, the system had ever been seen it putting into practice due to lack of political will. At the same time, the political unrest caused that system unattainable. Finally, all the representatives of Zilla Parishads and Anchal Parishads were removed in the year 1969 and Administrators were engaged. All those local bodies remained under the Administration till election was held in the year 1978. The legal outline of this freshly developed Panchayati Raj system in West Bengal was established on the basis of West Bengal Panchayat Act, 1973. Village level governance, by following this Act, established a three tier Panchayats – Gram Panchayat (to be constituted for a cluster of villages), Panchayat Samiti (to be constituted at Block level) and Zilla Parishad (to be constituted at District level). In 1978, West Bengal Panchayat Act abolished the concept of ‘Gram’, in Panchayat system, as single village and redefined ‘Gram’ as a body consisting of persons registered in the electoral rolls pertaining to a voting booth for electing a Panchayat member. Therefore, newly defined ‘Gram’, in West Bengal and Tripura, comprises a group of 3-4 single villages. In addition, the Left Front government infused the Panchayat system with decision making powers of party-based-political importance and made available increased financial resources. Together, this Panchayat system, in West Bengal, was able to ensure a party-controlled-bureaucratic top-down decision making process for implementation of land redistribution programme and put influence in the allocations made by the large number of development programmes. The democratic spirit of the ‘Panchayati Raj’ and its aspiration for the bottom-up-decision-building village governance had been redundant, in practice. However, by following institutional affectation, which maintained regular and timely elections in three tiers of Panchayat bodies, West Bengal had been the role model for Panchayati Raj system. The main feature related to legal framework of the Act included another tier but did not term it ‘a fourth tier’, which was ‘Gram Sansad’. Distinctly it explained the importance of Gram Sansad, which was: “direct accountability to the people at the Gram Sansad level for ensuring their participation in functioning of the Gram Panchayat.” Here, ‘people at the Gram Sansad’ was defined as ‘a body consisting of persons registered at any time in the electoral rolls pertaining to a constituency of an elected *Gram Panchayat* member’. Such ‘a body of persons’ usually comprises 3-4 adjacent villages. (Roy, 2014)

Like West Bengal, an initiative on deliberative democracy was introduced by the Government of Karnataka, which passed an act in 1985 establishing democratically elected *mandal panchayats* (a *manual consisting* of several villages), with clearly delineated functions and appropriate budgets (Parthasarathy & Rao, 2017). However, for West Bengal and Karnataka, the heads of the village councils, resented the *sabhas* of Gram Sansad and Mandal Panchayat because they provided a forum in which councillors could be held accountable through questioning. As a result, *gram sabhas* were undermined as meetings of Gram Sansads in West Bengal had been the victims of pre-determined decisions set by the ruling party and *Mandal Panchayats* were increasingly held without advance notice or held in locations that could only accommodate small numbers of participants (Crook & Manor, 1998). The shortcomings of *gram sabhas* in practice spurred a much clear and all pervasive legislative mandate that succeeded in embedding the three-tier system of decentralization and deliberative institutions Article 40 of the Constitution.

Seventy-third Amendment, Article 243:

The Constitution of India was amended through the Constitution (Seventy-third Amendment) Act, 1992, for providing the third stratum of government – below the Central and State governments for the rural areas of the country. The Amendment took effect on 24th April 1993. The Article 243B (1), introduced through the 73rd Amendment provides that “There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of the this Part”, which makes it mandatory to constitute Panchayats in every state (excluding certain area and provisions relating to Panchayats at the district level, e.g. hill areas of District of Darjeeling for which Darjeeling Gorkha Hill Council exists). However, every state has to pass its own law on composition of Panchayats, representation to those bodies, system of election as

well as how those bodies will function. The Constitution also provides for representation of seats for the Scheduled Castes and the Scheduled Tribes in proportion to their share of population in the Panchayat area and rotation of the seats allotted for the reserved categories within the Panchayat area. In West Bengal, provision for reservation of the OBCs has been made through subsequent Amendment of the West Bengal Panchayat Act. It has also provided that not less than one third of the seats are to be reserved for the women and there should be rotation of seats allotted to the women. One important feature of the Panchayat system of the state is that a candidate is allowed to contest election with symbol of a recognized political party and another important feature is the recognition of the members of the recognized political party in opposition. Thus, while one political party may be in power because of their majority in one Panchayat the successful candidates of the same political party will be the Opposition members in another Panchayat where they have not become the majority.

Gram Sabha, The Article 243G:

Gram Sansad is the assembly of all the voters of a polling station and is the forum for direct accountability of the GP to all its voters. Meetings of the Gram Sansad are to be held in every Gram Sansad twice a year and the date & time of the meeting is to be publicized at least seven days before the meeting. The Gram Sansad will guide and advise the GP in regard to the schemes to be undertaken and identify or lay down the principles for identification of beneficiaries. A GP shall not ordinarily omit or refuse or act any recommendations of the Gram Sansad (Roy, 2014).

I like to state our Constitution's explanation of Article 243G, verbatim:

“243G. Powers, authority and responsibilities of Panchayats Subject to the provisions of this Constitution the Legislature of a State may, by law, endow the Panchayats with such powers and authority and may be necessary to enable them to function as institutions of self government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats, at the appropriate level, subject to such conditions as may be specified therein, with respect to

(a) the preparation of plans for economic development and social justice;

(b) the implementation of schemes for economic development and social justice as may be entrusted to them including those concerning the matters listed in the Eleventh Schedule.”

The Eleventh Schedule to Article 243G of the Constitution are as under:

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.

Gram Sabha, The Article 243M(4)(b) in Fifth Scheduled Areas – PESA:

To bring the people residing in Fifth Schedule Areas into the mainstream, the Parliament, in terms of Article 243M(4)(b) of the Constitution, has enacted “the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” (PESA) to extend Part IX of the Constitution, relating to Panchayats, to the Fifth Schedule areas, with certain modifications and exceptions. States, having Fifth Schedule Areas, have been empowered to make Panchayat Laws for these areas.

Under “The Provisions of the Panchayats (Extension to the Scheduled Areas), Act 1996” (PESA), State Legislatures have been empowered to frame all laws concerning the extension of the provisions of Part IX of the Constitution relating to the Panchayats in Fifth Scheduled Areas, subject to such exceptions and modifications as are provided in section 4 of the Act. Section 4 of the PESA Act stipulates that the State legislation on Panchayats shall be made in consonance with the customary law, social and religious practices and traditional management practices of community resources.

PESA is an Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas. In terms of section 2 of this Act, “Scheduled Areas” means the Scheduled Areas as referred to in clause (1) of article 244 of the Constitution. Out of the ten PESA States, eight States namely; Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Rajasthan and Telangana have framed and notified their State PESA Rules under their respective State Panchayati Raj Acts.

Procedures of the Gram Sabhas in a broad stroke:

The Gram Sabhas are open meetings presided by local elected office bearers. The meetings are preferably held on holidays and in the premise of a public property or in the open spaces. The preparations for the Gram Sabha meeting include publicity, and the distribution of various planning documents. Minutes to be kept and each sub-sector group present a report of its deliberations and produce a list of “felt needs.”

Gram Sabha is mainly constituted by the following people:

1. People of age more than 18 years;
2. People residing in a village or in the *sansad* area that comprises 3 - 4 villages;
3. People whose name appear in the electoral rolls of the Panchayat.

As per the Act of the 73rd Amendment, the Panchayat system works under the pivot of the Gram Sabha. It is imperative to understand its hierarchy. The Gram Sabha is primarily headed by the village level Gram Panchayat which looks after the village-level responsibilities.

Modus Operandi of Gram Sabha

- a) Gram Sabha is organised by the Secretary of the Panchayat in agreement with that of the Panchayat Pradhan or Sarpanch.
- b) If 10% of Gram Sabha members or 50 Gram Sabha members, whatever is more significant in this case, can file a request to hold the meeting of Gram Sabha. If there is such a request, then the Gram Panchayat Pradhan or Sarpanch must call a meeting. Also, the members who are meeting must inform the Panchayat Pradhan or Sarpanch regarding the aim of the meeting.
- c) Before the meeting is conducted, a formal notification /intimation by mentioning the purpose and the date with venue of the meeting must be delivered in the hands of the Pradhan or Sarpanch withing office hours, at least seven days before the meeting date.
- d) If, in any case, the Pradhan or Sarpanch fails or is unable to hold the Gram Sabha meeting, then the members might organise it themselves.
- e) The proceedings along with the resolutions of the Gram Sabha meeting must be acknowledged by the Pradhan or Sarpanch or any regular staff of the Panchayat office with a signature and seal.
- f) According to the mandate of the 243G, the Gram Sabha should conduct meetings a minimum of four times a year, i.e. on January 26th, May 1st, August 15th and October 2ndthe
- g) Article 243G of the Indian Constitution mentions that the Gram Sabha exercises the powers and performs such functions as the Legislative of a State by law may provide.
- h) Gram Panchayat reports activities undertaken by them from the last Gram Sabha. It presents the suggestions and resolutions of the last Gram Sabha and the action taken by the panchayat on such resolutions.
- i) The functions of Gram Sabha also include discussion on various issues related to the quantity and quality of all the services delivered by the Panchayat.
- j) Gram Sabha also has granted authority to initiate the procedure for determining the nature and extent of the individual or the community forest rights under the specific provisions of the Forest Rights Act, 2006 and PESA.

Outcomes and Effects of Gram Sabha:

Considerable volumes of scholarship have examined the pieces of evidence drawn from thousands of households over hundreds of villages in various Indian states that the quality of governance improves when *gram sabhas* are held as scheduled (Besley, Pande, & Rao, 2005; Crook & Manor, 1998). For instance, policies that provide access to Below Poverty Line (BPL) cards that provide public benefits are substantially better targeted to citizens in need when *gram sabhas* are held. This is because *gram sabhas* are charged with

ratifying the BPL lists, which provides citizens with the opportunity to deliberate about definitions of poverty and create opportunities for the poor to increase their capacity to challenge the government (Rao & Sanyal, 2009).

Significant attention has also been given to the use of the *gram sabha* in Kerala. The advancement insystematization to hold *gram sabhas*, Kerala's Civil society bodies and NGOs had already developed a program of participatory democracy. An exemplary activities of the Kerala People's Campaign for Decentralized Planning is worth to mention here. This organisation accorded a key role to the *gram sabha*. Deliberation here is divided between various groups and committees based on resources, rather than organized as an open deliberation. The *gram sabhas* are accompanied by working committees and 'development seminars' that seek to raise awareness and educate citizens about their rights and capacities to participate in processes of deliberation. In Tamil Nadu, the Pudhu Vaazhvu Project (PVP) was designed to explicitly address the problems on exclusion of poor women by creating a federation of SHGs specifically to reduce poverty. These projects appear to have succeeded in improving women's participation, doubling the number of female attendees at the *gram sabha* and increases both the number of female citizens who speak and the amount of time for which they hold the floor (Parthasarathy, Rao, & Palaniswamy, 2017).

An outstanding achievement of Gram Sabha's execution was reflected in the village of Telangana State. Chandurthi gram panchayat in Karimnagar district of Telangana was one of the rural bodies that won Rashtriya Gaurav Gram Sabha (RGGS) Puraskar for remarkable performance. Through regular meetings and follow ups, G. Prabhakar, the sarpanch of Chandurthi village, found solution to the drinking water crisis. The decisions of the villagers through Gram Sabha were able to use funds effectively and executed the development projects efficiently (Telegraph, 25 April 2016).

As compared to States like Kerala, Karnataka and Tamil Nadu, the success story of functions of deliberative democracy at the grass root level of West Bengal, despite, the formal spick and span compliance of the Panchayati Raj system, had been hardly visible.

Limitations and Challenges of Gram Sansad Functions in West Bengal:

Appropriate exercise of the Gram Sansad is very important for effective local governance. Necessary information as mentioned above has to be disclosed to the public by circulating printed booklets. Ideally the same should be published well before the meeting or the documents should be available in the rural library for wider dissemination. However, the same is hardly done and people are not in a position to participate with prior information about functioning of the GP. Participation of the people in the meeting is also important, which is still quite low and on the decline. During the year 2008-09 out of 37,067 Gram Sansads the Half Yearly meetings could be held only in 26,615 (72%) Sansads of which in 4,305 (12%) cases there was no quorum in the first meeting and the meeting was held after adjournment. Attendance on an average was 142 only out of whom 39 were women. The other issue is the ability of the people to raise their voice in such meetings and discuss the issues freely without any fear, which requires tolerance and respect for opposition views and criticism. Actual scenario on the ground, in many of the rural areas of the state, is far from what is necessary for proper functioning of the Gram Sansad because of extreme political rivalry and law and order problem. Those factors are adversely affecting the quality of the Gram Sansad meetings, which may be judged by the number of issues raised and whether any view opposing any proposal was raised in the meeting and recorded.

A covalent bond between the State-bureaucracy and Party-bureaucracy caused major damage in achieving the political empowerment of the voiceless poor people in rural West Bengal. In the case of West Bengal, from the beginning of the Panchayati Raj codification, the rituals of 'decentralisations' were being treated as synonymous with deliberative democracy, but the two are quite distinct. It was found in the practices of the 3 tier Panchayat system, at the time of Left-Front Government that, in particular, decentralisation is not necessarily conducive to local democracy. The Party-based decentralisations of power jeopardised the confidence of common, powerless people to make decisions for the benefits of their community. Too much dependence of villagers on local bodies of the ruling party and local representatives of the Local Government resulted in a gradual overdrawn of confidence from the minds of the grass root level villagers. It continued in such a manner, so that it discouraged rather than fostered participations in the Gram Sansad among the underprivileged.

A Case of Successful Gram Sansad: A Decision Issued and Implemented by the Villagers of Rakhakura:

Location: As recorded in Census 2011, the location code or village code of Rakhakura village is 318596. Rakhakura village is located in the Jamuria subdivision of Bardhaman district in West Bengal, India.

Churuliya is the Gram Panchayat of Rakhakura village. Rakhakura Gram Sansad comprises BauriPara, Sah para, Ruidas para and Sagar para. The total geographical area of village is 233.91 hectares. Rakhakura has a total population of 1,453

peoples, out of which male population is 774 while female population is 679. Literacy rate of Rakhakura village is 67.52% out of which 75.45% males and 58.47% females are literate. There are about 278 houses in Rakhakura Gram Sansad area. Jamuria is nearest town to Rakhakura for all major economic activities. Jamuria is approximately 18 km away from Rakhakura village.

Background: The Asansol-Raniganj Belt in West Bengal's Paschim Bardhaman district has been extensive coal mining for over two centuries now. Commercial coal mining first started in India in 1774 in the Asansol-Raniganj block. West Bengal has 107 government coal mines operated by Eastern Coalfield Limited, a subsidiary of Coal India Limited, besides several privately owned coal mines. The ICML (Integrated Coal Mines Limited) project stands out mine for power generation. It was a World Bank sponsored project and it was to follow the guidelines, especially on rehabilitation packages for the land losers and project affected residents of the region. In September 1997, ICML, served the first notice for acquiring farm land from residents of more than 7 villages.

Those were Rakhakura, Dighuli, Rashunpur, Jamgram, Madanpur, Anandagram and Sarisatolli villages. Churuliya Panchayat was a guaranteed polling center in favour of the CPI(M) party, at the time and many voters of the Rakhakura Gram Sansad had been active party whole timers as well as veteran CPI(M) party members. As a result, the villagers of 7 villages surrounding the Sarisatoli Open Cast Coal Mine project of ICML succumbed to instruction of their party bosses for accepting the government's offer on acquisition of their farm lands. In the year of 1997, the rates of land was calculated on the basis of mean value of maximum and minimum selling prices of the lands in the project area plus 30% extra over total price of particular acquired land plus bank interest for the period in between the dates of land acquisition and final payment towards land purchase. The selling price of the land that was officially registered at the time of registration had always been low as compared to actual price of land because, both the seller and buyer of the land used to target escaping the government charges of stamp duties. Because of such manipulations, the real price of land for acquisition was less than the price of actual price of land in terms of contemporary market rate. Therefore, the villagers suffered loss by giving up their farm lands but at the same time they anticipated gains from getting jobs on compensation ground and rehabilitation offers, something like new house along with the civic amenities in a new settlement region, monthly payments to the project affected families as dole etc. All passed on well till 1998 but immediately after the incident of Pokhran-II nuclear bomb test, the Indian government faced strong criticism from different countries, for example, Canada, Japan, China and others. The United States issued sanctions against India, which caused withdrawal of World Bank from its all financial commitments in India. As a result, the Sarisatolli project of ICML encountered an acute financial shortage and the process of rehabilitation, as per the conditions set by the World Bank, got halted in 1998. However, the mining operations of ICML didn't stop. The project gave jobs to one member from each family who handed over the land to the ICML. But the wage was abysmally low. Suddenly, on 07.10.2003, the District Collector of Bardhaman district issued a notice on acquisition of Vastu Lands of the villagers of Rakhakura and Diguli villages. Such an exasperating notice caused extreme resentment against the CPI(M) party and its Government. The narrative of broken promises of jobs and rehabilitation, and false claims about local civic development, shoved the villagers out from the deceitful protection of the CPI(M) party to start their battle for survival. They initially contacted the local leaders of the major opposition parties like Trinamul Congress, Congress and BJP in search of safeguard from displacement out of desperation. Within a very short period of time, the villagers of Rakhakura realised that the all the local leaders of the opposition parties, either eyed to use them for the election benefit or targeted to play a mock-fight with the Government for squeezing out the financial and extra financial benefit from ICML. None of those political leaders were ready to take up this issue seriously, because the value of few hundreds of villagers upcoming uncertainty as compared to the prospective promises from a high profile coal mine project had been very low. When the villagers found no silver line of hope in the skyline of near future, they found a leader of a non-party trade union named Shailen Bhattacharya, commonly known as Captain da. The trade union was formed to ensure jobs for the single member from each family who handed over the land to the ICML but had been jobless, till that day. At the same time, the union – ICML Shramik Sangram Committee – was demanding entitlement to minimum wage for the contractual workers of ICML. The villagers appealed an immediate solution in such a manner, so that the displacement notice of the district collector would be ineffective. The judicial immunity was expected but Bhattacharya shared his worry about the uncertainty in order to receive an optimum judgement. He explained further about the fact: had the court order been unfavourable, all the options to fight against displacement would have finished. Bhattacharya's local companions known as Krishna Ruidas and Swapan Bauri agreed to interact with the Rakhakura villagers for a better understanding of the ground realities. They found almost cent present villagers agreed to follow whatever they would suggest with view of resisting the threat of displacement. Bhattacharya and his trade union team organised a three days' workshop to explain the potential power of Gram Sansad and its taken decisions. Also, the modus operandi of Gram Sabha meeting as per guideline of

Article 243G of the Constitution was explained in the workshop. Finally, on 20th October, 2003, a letterhead for Rakhakura (No. 2 Sansad of Churuliya Panchayat) got prepared and a request letter to the Panchayat Pradhan of Churuliya Panchayat for calling upon a Gram Sansad meeting on displacement issue was placed. By following the mandate from the ruling party, panchayet pradhan did not invoke any meeting. The villagers waited 7 days and issued a second letter to the Panchayat Pradhan with an intimation of the Gram Sansad meeting on 30th October 2003 at Rakhakura village. For some obvious reason, Pradhan of Churuliya Panchayat decided not to attend the meeting and did not send any Panchayat staff to attend the meeting. However, the elected member of Rakhakura Gram Sansad attended the meeting along with the 81% individual voters of the Gram Sansad. The Gram Sansad meeting continued for 4 hours and resolved unanimously some vital decisions. Two most noteworthy points are mentioned below:

1. The notice of the district collector for the acquisition of the lands of Rakhakura and Diguli villages (MemoNo.LA Case No 8(IV) 2002-2003/7233), is being considered by the Gram Sansad members as a public interest opposing instruction, per se. We the majority members of a self-governed local constitutional institution in Rakhakura Gram Sansad, empowered by the Article 243G under the 11th schedule of Indian Constitution, are giving instruction to the district magistrate to cancel this acquisition notice, unconditionally.

2. As per assurance of the Government and the ICML authority, we were to be rehabilitated in a planned village before the process of displacement. Unless, we are not being settled in a liveable rehabilitation village, Gram Sansad decides not to quit Rakhakura village, at any cost.

In the final step of the Gram Sansad exercise, members of the Rakhakura Gram Sansad compelled the Panchayat Pradhan of Churulia Panchayat to receive the unanimously passed resolution of the Sansad, officially and sent the copies of the officially registered decision of the Gram Sansad to the district collector, Honourable Governor of West Bengal, Honourable Chief Justice of High Court, Chief Secretary of West Bengal Government and to the CEO of ICML.

As a result, within a month, the ICML authority decided to change their mining plan and in a reviewed plan, Rakhakura and Diguli villages were excluded from the coal mining operations, which finally saved the villagers from displacement.

ICML's mine, which currently covers 613 hectares of land, operates at a depth of 170 metres from the surface and produces 1.8 metric tonnes of coal per annum, as per ICML. Despite its expansion in every direction over 20 years, the acquisition of Rakhakura and Diguli villages has not taken place, to date. However, local people in the Rashunpur, Jamgram, Madanpur, Anandagram and Sarisatoli villages, unlike Rakhakura and Diguli, who had been adversely affected due to the ICML project, narrates an opposite story of broken promises of jobs and rehabilitation, and false claims about local civic development.

II. Conclusion:

An appropriate exercise of Gram Sabha or Gram Sansad (in West Bengal) can bring about a decisive role to play in the domains of rural development. Proper functions of village planning and utilisation of funds are highly possible in the given provision of Article 243G. However, the villagers have been ignorant about this constitutional power reserved for them. The influential individuals as well as small groups in village politics, try their level best to suppress the information and knowledge about the steps on participatory decision making method to achieve the power of self-governance, because from the period of late 90s a large amount of fund used to reach in the hands of Panchayats, directly for different rural development schemes. The common practices in misappropriation of funds would be difficult if intervention of common people through the participatory deliberative democracy starts functioning efficiently. The direct involvement of the electoral politics protects this process of manipulations in existing Panchayat system and for this reason; dissemination of information about Gram Sabha and Gram Sansad is absolutely unexpected from the political parties. The bureaucratic institutions in Panchayati Raj system are closely associated with the corruptions of rural political lobbies. At the same time, the perception of governance is inclined to exclude the 'passive' members of state which is underpinned, unknowingly, by the political theory of Kant and absorbed through the administrative codification. Initiatives from NGOs, CBOs (Community Based Organisations), Non-political mass organisations and trade unions are slowly spreading the awareness and helping the rural powerless people practice participatory democracy. It has been evident that the empowerment of rural mass and their participations in the decision making process would enhance the utilisation and quality of human resource in rural India. Lack of confidence among the rural people to take part in the process of planning for their own benefits, alienate them from the entitlement to civil facilities, economic claims and political understanding of dignity. Parallel to the electoral politics, Gram Sansad can emerge as an extra-parliamentary politics of the oppressed and dispossessed mass, if the civil society is able to set its directions towards social and political economic changes in an effective way.

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