How effective are *Gram Panchyats'* Participatory Local Governance in Safeguarding Human Rights of Forest and Tribal Communities (FTCs)?: A Study of Select *Gram Panchayats* in Remote and Extremist Affected Areas of Maharashtra and Chhattisgarh

A REPORT SUBMITTED TO

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Acknowledgments

The research project entitled "How effective are *Gram Panchyats'* Participatory Local Governance in Safeguarding Human Rights of Forest and Tribal Communities (FTCs)?: A Study of Select *Gram Panchayats* in Remote and Extremist Affected Areas of Maharashtra and Chhattisgarh", was sponsored by National Human Rights Commission(NHRC), New Delhi, Government of India. At the very outset, I would like to extend my gratitude to the National Human Rights Commission(NHRC), New Delhi for providing me with an opportunity to conduct research this very important topic. The tribal and forest communities embedded with multiple socio-economic and political challenges along with the extremist insurgency has produced serious implications for the basic human rights of marginalized groups such as the FTCs, resulting in loss of livelihood and shelter, food insecurity, physical distress, health-anxiety, and economic distress. The financial support provided by NHRC resulted into meaningful research in the areas of local self-governance and human rights of forest and tribal communities located in far-flung and extremist affected districts of Maharashtra and Chhattisgarh. I am extremely thankful to the anonymous experts for rigorous review and selecting the proposal for funding. My acknowledgements are also due to Mr.Sudesh Kumar, Senior Research Officer and the entire team NHRC for essential facilitation. I wish to put on record my sincere thanks to Prof.Prashant Bokare, Hon'ble Vice-Chancellor and Dr.Shriram Kawale, Hon'ble Pro-Vice-Chancellor, Gondwana University Gadchiroli for ceaseless encouragement and administrative approvals. Let me also thank 1120 respondents who shared very important and constructive information for the present study. Likewise, the tremendous research work conducted by research project team namely Mr. Ankush Kamble, Itihas, Shrikrushna, Yuvraj, Sukhdev, Somesh, Vijay, Prathamesh, Shrihari, Manoj and Rajesh posted in very dense and challenging areas helped a lot. I personally thank all my research team for their sincere work. My appreciation is due to officials of Forest Department, District administration and members of selected gram panchayats and gram sabhas in Maharashtra and Chhattisgarh. Finally, I would like to thank Gondwana University, Department of Finance and administration for granting approvals and providing required support to complete the research project in the stipulated time period.

Date: June 30, 2023

Place: Gadchiroli

Prof.Dhanraj A. Patil
Principal Investigator

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Chapter- 1

Introduction and background

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"Delhi Mumbai mava sarkar; Mava nate mate sarkar", "We have our government in Delhi and Mumbai but in our village, we ourselves are the government" (philosophy of Self-governance instituted by the villagers in Mendha Lekha, Gadchiroli, Maharashtra).

Introduction and background:

The institutionalization of the Panchayati Raj system since the 1990s has accelerated the process of decentralization, which has had a profound effect on the human rights situation in India (Mathew,G. 2003[1]; Cardenas,2017[2]). Especially, in the context of local self-governance, due to decades of top-down two-tier democracy, the dawn of the crucial 73rd constitutional amendment at one blow created a third tier called "*Panchayat*" and opened up space for more than250,000 new institutions for grassroots self-government, collectively, women, Scheduled Castes and Scheduled Tribes and other backward classes which has brought more than one million new representatives from these deprived sections to democratic spaces (Sahgal, 2021)[3].

Local Governance and inclusion of human rights of high-risk groups

The Forest and Tribal Communities (hereafter FTCs) are the most disadvantaged sections of Indian society and are considered as high risk groups (hereafter HRGs) in terms of human rights violations, they consist with up to 100-150 million populace, most of whom are predominantly forest dwellers and members of scheduled tribes with an ancestral link to the land and forest have been victims of rights based socio-economic exploitation and isolation since times immemorial (UNHCR, 2020)[4]. NHRC (2012)[5] also believes that, questions of inequality and social discrimination will persist if the human rights of all sections are not recognized. The NHRC's objectives can be made more successful with the help of *Panchayats*, which include ordinary people as grassroots level change agent who can assess their needs and work collectively together to meet them. Therefore, in order to promote and protect the fundamental human rights of (FTCs) it essentially need a democratic, inclusive, legal and

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[1]Mathew, G. (2003). Panchayati raj institutions and human rights in India. *Economic and Political Weekly*, 155-162.

[2]Cardenas, S. (2017). National human rights commissions in Asia. In *Sovereignty under Challenge* (pp. 55-82). Routledge.

[3]Sahgal, R. (2021). Strengthening Democracy in India through Participation Rights. *VRÜ Verfassung und Recht in Übersee*, *53*(4), 468-491.

[4] UNHCR(2020) Persons of Concerns, https://www.unhcr.org/ph/persons-concern-unhcr

[5] NHRC(2012)National Conference on Human Rights Education; https://nhrc.nic.in/press-release/national-conference-human-rights-education

decentralised system that assures protection of their traditional socio-economic and political human rights in a sustainable and inclusive manner, the dream fulfilled through pro-poor acts like PESA, 1996 and FRA, 2006 that further strengthened the movement of participatory local-self-governance at grassroots level.

PESA: The dawn of recognizing human rights of (HRGs)

In 1992, tribal areas were excluded from India's decentralization system by the *Panchayati Raj*. This led to nationwide protests and social movements by human rights activists. In 1996, decentralization became a truth in tribal areas with the provisions of the *Panchayat* (Extension of Scheduled Areas) Act (No. 40 of 1996), widely known as PESA for the Fifth Scheduled Area on 24 December 1996. The purpose of the Act is to transfer powers to tribal *Gram Panchayats*-elected third-tier village-level government bodies. The decentralization implemented by this Act was aimed at bridging the gap between tribal self governance traditions and *Gram Panchayats*. This kind of political decentralization of locally elected self-government posed a potential challenge to the Forest Department's top-down approach to bureaucracy. Unlike JFM village committees, *Gram Panchayats* will be democratically elected hence decentralized bodies with legal powers. The ability to make discretionary decisions at the local level has helped the neglected forest-dependent tribal communities to become politically capable of strengthening grassroots democracy, creating a sense of citizenship rather than subject matter (Ananth and Kalaivanan, 2017)[6].

Empowering *Panchayats* through (FRA): A legitimate tool to protect the human rights of (FTCs)

Approximately one in every four Indian villages - a total of 150 million forest dwellers live in 170,000 villages (Das, 2021)[7]. In 2006, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, popularly known as FRA was enacted decades later to recognize the long-standing denial of human rights and the historical injustices perpetrated against tribal and forest communities in India. The Act recognizes the power of the *Gram Sabha* (Village Council) which is capable of protecting, restoring, conserving or managing any community forest which they have traditionally protected for conservation and sustainable use. The role of *Gram Sabhas* became important when they were empowered under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) and Panchayat Extension to Scheduled Areas Act, 1996 (PESA). Both laws empower *panchayats* to protect the basic human rights of FTCs democratically at grassroots level. On the whole, the participatory power conferred to *panchayats* becomes more crucial in the challenges environment induced by an extremist commotions and pandemic conditions.

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[6] Ananth, P., & Kalaivanan, S. (2017). Grassroots governance in scheduled areas in India: The way forward of PESA act. International Journal of Innovative Research and Advanced Studies (IJIRAS), 4(1), 18-21.

[7] Das, B. K. (2021). 21 Devolving rights to forest dwellers Politics of institutional choice and recognition in the Forest Rights Act implementation process in West Bengal, India. *Handbook of Decentralised Governance and Development in India*.

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Gram Panchayats' **Participatory Local Governance in Safeguarding Human Rights of Forest and Tribal Communities (FTCs)**

The tribal and forest communities embedded with multiple socio-economic and political challenges along with the extremist insurgency has produced serious implications for the basic human rights of marginalized groups such as the FTCs, resulting in loss of livelihood and shelter, food insecurity, physical distress, health-anxiety, and economic distress. According to the findings of the Preliminary Assessment Report by (CFRLA, 2020)[8], insecurity, oppression and injustice plagued forest communities by forest conservation and economic policies have multiplied during the recent times.

i)The economic and livelihood rights

The economic and livelihood rights are considered as basic lifesaving rights. In particularly, the FTCs, face stern challenges which limits their earning potential considerably. Approximately 100 million forest dwellers depend on minor forest produce (MFP) or non-timber forest produce (NTFP) for food, shelter, medicine and cash. According to government figures provided by the Tribal Cooperative Marketing Development Federation (TRIFED), these communities collect MFPs of INR 2 trillion (USD 27.23 billion) annually. It is in this context, the *Gram Panchyats* empowered with PESA and FRA are emerging as an alternative institution which provides localised and thoughtful responses through participatory local self governance strategies (Mudgil, 2020)[9].

ii) Emergence of transformative alternative governance structures:

i)it is pertinent to note that, in order to further strengthen the *Gram Panchyat/Gram Sabha* institution at grassroots level new alternative governance structures were evolving such as i)*Maha Gramsabha*(A Federation of Gram Sabhas) ii) The *Sarpanch Sanghatna*/federations of Sarapanchs iii)*Mahila Panchayat Parisar Sangh* (women's collectives) iv) *Ilakha sabhas*(territorial Assemblies) v)*Gram Dut*(Villages agents) vi) Community Forest Management Rights Committees(CFMRC)and vii) *Gram Jangal Adhyayan Mandal*(Village Forest Study Council). These alternative structures provide impetus for strengthening human rights at grassroots and emerging as a voice of marginal masses to protect their natural human rights[10].

iii) *Gramsabhas* harbinger for human rights protection

a) It has been observed that, the *Gram sabhas* are emerging as a radical grassroots forum of elected representatives of men and women where strategies for protecting and promoting the

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[8]https://rightsandresources.org/wp-content/uploads/2020/10/CFR-and-the-Pandemic_GS-Lead-the-Way-Vol.2_Oct.2020.pdf

[9] Mudgil (2020) Coronavirus Lockdown: Tribal People Restless Over Sale of Minor Forest Produce; https://thewire.in/government/coronavirus-lockdown-tribals-forest-produce

[10] Based on authors primary field insights at Chandrapur, Gadchiroli and Gondia

basic human rights of villagers were extensively discussed and to execute its legal powers were also researched upon extensively, published and distributed as fliers across the villages, and put up as posters at various public places.

b) *Gram Sabha* being a first unit of participatory decision making has a political, economic, social and cultural space that aims to obtain the recognition of local people's normative regulations for governance for their empowerment. It has created a legitimate space and equal rights to participate in democratic deliberations at grassroots level.

iii)*Gram panchyats*: Paragon for COVID Governance and human rights of FTCs

The COVID-19 epidemic has exposed a number of flaws in the top-down model of welfare planning and service implementation (OECD, 2020)[11]. At a time when epidemics are causing such great suffering, poverty and human rights violations, it has also been observed that the local communities who have joined hands with the village councils (*Gram Sabhas*) are better aware of the local socio-economic complexities and human rights issues of the FTC than the local administration particularly while dealing with crisis situations between COVID-induced lockdown and post lockdown (ORF, 2020)[12]. Across India, more than 260,000 *Gram Panchayats*, according to their capacity and social capital, mobilized various grassroots actions against COVID 19. There is preliminary documented evidence from various parts of the country where empowered village assemblies (*Gram Sabhas*) under FRA-PESA emerged as a natural means of resilience in crises like Covid-19 by ensuring financial independence and protection of human rights from both social and financial contexts and proactively initiated a holistic COVID-19 governance plan well before local administration ORF(2020).

iv) *Participatory Governance under an extremist environment: a challenge*

There are now 88 districts covering some 31,400-gram *panchayats* and around 119,000 villages that fall in the left-wing extremism-affected category (Livemint Report, 2017)[13]. The Gram Panchayats selected for the present study come under extremely affected zones as per the report of the Ministry of Home affairs. Under the hostile environment of Left-wing extremist ideology and presence how the *Gram Panchyats* are contributing to strengthen the democratic structures and to protect the basic human rights of FTCs is an issue of serious concern. A history of *Gram Panchyats* in these areas shows multiple challenges to inculcate democratic values and provide autonomy and decision–making power to *Gram Sabhas* to address the daily concerns of common people, who should not fell to be alienated.

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[11] OECD(2020) Social economy and the COVID-19 crisis: current and future roles; https://www.oecd.org/coronavirus/policy-responses/social-economy-and-the-covid-19-crisis-current-and-future-roles-f904b89f/

[12])Panchayats and pandemic; https://www.orfonline.org/expert-speak/panchayats-pandemic-65185/

[13]https://www.livemint.com/Opinion/nSOvlmBylHCqGpcdNpXpOI/Reading-the-Maoist-challenge-right.html

However, in spite of these challenges, it is heartening to witness stories of empowered *Gram Panchayats* coming to the aid of the most vulnerable among the forest communities like women and children, landless families, pastoralists, and particularly vulnerable tribal groups (PVTGs). Therefore, an in-depth study is indispensable in order to understand the relatively unexplored and crucial role of Local Self Governance institutions like Gram Panchayats and *Gram Sabhas* in protecting the fundamental human rights of FTC's in the challenging environment affected by an extremist activity which further becomes paramount and important as well as contextual in the present circumstances.

Conceptual dimension

The proposed study centered on two fundamental conceptual foundations **i)** participatory governance and **ii)** human rights. "Participatory governance" broadly refers to democratic systems that aim to involve citizens in the public policy-making process. In other words, the goal of participatory governance is to build bridges between public institutions and the general public in an effort to increase the effectiveness and responsiveness of public policy-making activities at grass roots level. Either an interest-based, integrated, or functional reasoning can motivate participatory governance initiatives. In addition to internal reasoning based on these initiatives, participatory governance separates the effort to consciously empower people (Farazmand, 2018)[14]. As a primary local self-governing body from the point of view of participatory governance, the *Gram Panchayat* is closest to the people and is trusted by the community and binding this community creates human and social capital for effective implementation of participatory governance. Every human being has certain economic, social and political rights, by virtue of his or her humanity. In this sense, both human rights and local governance are inextricably linked with the provision of certain rights, including participation in local politics access to processing and essential services. Local government is growing responsibility for the design and delivery of such right-based services and for citizens increasingly their most obvious point of contact with the government. Thus, the aforesaid conceptual framework describes broad conceptual ideas applied as a guiding principle for the proposed study.

Rise and Growth of Local Governance in Ancient India

The principles of local governance are grounded in the history of ancient India. It has a great democratic, republic tradition that has blossomed during the period of Mahavira and Buddha who taught the republic, and democratic principles that legacy continues in modern India. "A classic instance of such recording is by Metcalfe who records that "The village communities are little republics, having nearly everything that they can want within themselves...Dynasty after dynasty tumbles down, revolution succeeds revolution, ... but the village community remains the same. ....This union of the village communities, each one forming a separate little

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[14]Farazmand, A. (Ed.). (2018). *Global encyclopedia of public administration, public policy, and governance*. New York, NY: Springer.

state in itself, has contributed more than any other cause to the preservation of the peoples of India... and the enjoyment of....freedom and independence" (Bijoy 2012,06).

To have a little deep study of the rise and growth of self-governance institutions, the study goes back into the ancient history of India where the idea of self-governance was discovered. These sabhas of self-governing in ancient times were considered Jana and Janapada, therefore, it focuses on these concepts. The Janapad is a compound word; Jana means 'people' and pada means 'foot' called Janapada. It was a form of informal local governance body consisting of elders in ancient India. 'The word Janapada is composed of two words: 'Jana' and 'Pada' and literally means the place of habitation of a Jana' (Mishra, Sudama, 1973:pp.07). The habitation place of Janas was not stable since they didn't have an attachment to a specific land. That sense of attachment has gradually evolved over time. "A study of the Janas mentioned in the Rigveda and the Atharvaveda, Janas and Janapadas mentioned in the later Vedic literature, Janapadas mentioned in the Ramayana, the Mahabharata, the Puranas and the early Buddhist literature reveals-that a substantial number of the Vedic Janas gradually evolved into Janapadas but a number of them do not find mention as Janapadas in the later literature. The process of evolution was dynamic and it seems to have taken any one of the following three forms" (Misra, Sudana 1973, 07-8). The historical evidence shows that the Janapada developed between 1500 BCE and 500 BCE. The reference to Janapada is mentioned in the Aitareya and Shatapatha Brahmana texts. These are the religious texts focusing on sacred hymns and mantras. In common parlance, "Jana is used to denoting people, but in the Vedic Samiti, it is employed in the technical sense of a tribe arid connotes that stage of human evolution in the Vedic period, when groups of human beings lived in mobile communities without any serious attachment, on their part, to a particular territory (Mishra, Sudama1973:pp. 07). Jana was a nomadic and semi-nomadic community in the early phase of its development. "In the Vedic Samiti, the term Jana denotes a tribe, whose members believed in shared ancestry. The Jana's were headed by a king. The Samiti was a common assembly of the Jana members and had the power to elect or dethrone the king. The sabha was a smaller assembly of wise elders, who advised the king" (Wikipedia)'. In the above para, it has mentioned that Jana was a mobile community that had not affiliated with a specific territory, having formed a well-knit association with the pastoral economy. It seems that Jana was a small social group having close family relations among them. They used to take decisions by their own consensus. 'In course of time, however, the community grew large and the people began to have a filial affection towards earth or the territory of their association. This territorial consciousness slowly gave birth to the attachment to a fixed territory and set in motion new sociological changes (Mishra, Sudama1973.pp.07). The progress of Jana, a social group, had been happening through many historical turns. The Jana have developed connections with a particular territory being settled over there for a long time and divided themselves into several families, detached from mobility, evolved attachment toward earth, land for settlement purposes. "Janapadas during Buddha's life were constantly evolving and changing due to the ambitious and aggressive design of the powerful monarchs of Mahajanpadas. Janapadas were as small as Gan raj or larger as modern provinces or states and were constantly evolving" (Shaha, Bipin 2022, 02). After the collapse, the central authority of the Mauryan empire induced local people to establish regional independence that asserted their own authority. "During Mahavira's time, the Janapadas and Gan Raj had increased in

numbers. Various provinces/districts/Vásya and vassal states had declared their independence from once a mighty Magadha empire. The local chief, Amatya, Raja, or king proclaimed himself the ruler of his region where he had exercised control for collecting taxes and applying the laws" (Shaha Bipin 2022,03). Apart from this, they developed genetic, ancestry affiliation to be strong within the Jana group. 'The community in the first instance divided itself into families, each family having its separate head. In the later Vedic and epic literature, the Kulas or the families find a place of honour and we find respected mention of Kuladharma' (Mishra, Sudama1973.pp.07).

In course of time, however, the Janas divided themselves into several families, lost their mobility, imbibed a sort of filial affection towards the territory of their association and ultimately took to some specific piece of territory as their permanent homeland (Mishra, Sudama 1973: pp.07). Thus they have developed the Jana to Janapada being settled in a specific geographical area and that body encompasses elders and respected people from families. 'The term Janapada, as such, is the settlement on a piece of territory by a Jana and marks that stage of evolution of the Vedic Indians, when they become territorially conscious and founded the first series of small territorial states, known as Janapada states (Misra, Sudama1973,pp.07). Janapad is an extended form of Jana. Some janapads have evolved into their own group Janapada and some others appear to have diverse groups of people who came together to establish a common janapada. 'According to the political scientist SudamaMisra, the name of the Panchalajanapada suggests that it was a fusion of five (pancha) Janas. Misra theories that these smaller Janas were conquered by and assimilated into the larger Jana's (Wikipedia). "The population of the Janapada was heterogeneous. Its most important constituent was the ruling Ksatriya class, he\she all political rights. Apart from the privileged citizens, most of the population remained divided into the four Varna as the Brshmaxjas, the Ksatriyas, the Vaisyas and the Sudras. Some people remained outside the Varna system and many times formed a substantial portion of the population (Misra, Sudama 1973; 20).

After establishing the Jana, Gan Raj governing system, the regional rulers had the challenge to promote and protect themselves from internal as well as foreign invaders. Therefore, regular armies were maintained by the new kings and Rajas. "The families had voluntary associations, but the necessities of defence and warfare obliged them to form military groupings, which gradually became ascendant and proved instrumental in establishing the Janapada state (Misra, Sudama1973,pp. 7-8) According to Papini the word Janapada stands for the Ksatriya rulers of a Janapada and represents as such, the military grouping of families, which succeeded in founding the Janapada. In the Janapada the Ksatriya rulers and the subjects were clearly distinguished as attested to by Papini and later grammarians (Misra, Sudama;1973,pp07-8).

Janapada Evolution can be classified into different stages:

(i) Jana or the tribal stage (mobile social group).

(ii) Kula or the family stage.

(iii) Janapadin or the stage of military grouping (forming kingdom).

(iv) Janapada stage.

The Janapadas had Kshatriya rulers. Based on literary references, historians have theorised that the Janapadas were administered by the following assemblies in addition to the king:

Sabha (Council)

An assembly more akin to a council of qualified members or elders (mostly men) who advised the king and performed judicial functions. In the ganas or republican Janapadas called Gana-Rajya with no kings, the council of elders also handled administration.

Paura Sabha (Executive Council)

The Paura Sabha was the assembly of the capital city (pura), and handled municipal administration.

Samiti (General Assembly)

A samiti generally consisted of all adults of the republic or the city-state. A samiti was congregated when a matter of importance had to be communicated to the entire city-state. A samiti was also held at the time of festivals to plan, raise revenue and conduct the celebrations (Wikipedia). The Janapada assembly represented the rest of the Janapada, possibly the villages, which were administered by a Gramini. Indian nationalist historians such as K. P. Jayaswal has argued that the existence of such assemblies is evidence of the prevalence of democracy in ancient India (Wikipedia).

Mahajanapada

By the middle of the sixth century BC, political Janapadas, some with fairly well-defined boundaries, came into existence and the headquarters of these janapadas remained no longer rural. Some of these Janapadas soon grew into Mahajanapadas with more than one urban settlement (Sarao, 2016:183). The Janapadas were the major kingdoms of Vedic India. During that period, Aryans were the most powerful tribes and were called 'Janas'. This gave rise to the term Janapada where Jana means 'people' and Pada means 'foot'. By the 6th century BCE, there were approximately 22 different Janapadas (wikipedia). During the 6th century BCE, the unprecedented development in social and economic due to the use of iron tools in agriculture and military force along with political and religious led to the rise of the Mahajanapada which was the advanced stage of Janapads and small kingdoms. Unitedly these developments inclined them to form the Mahajanapada where the people gained a strong attachment with the territory. These people were more heterogeneous in terms of social, cultural and genetic rather than only tribes. It shows how the second urbanisation had been taking place during the 6th century. The first urbanisation was the Harappan Civilisation.

There were 16 Mahajanapadas among them Vajji was the most important since it had followed the sangas or gan raj republic principles where power of people was at the centre. However, most of the Mahajanapada states were monarchies but some were republics which were known as Ganas and Sanghas. These Sanghas had formed their government where the King was elected by these sanghas people and the King ruled with help of a council. Vajji was an importantMahajanapad being formed with the philosophy of Sangha's government. Sangha's government was a republic government and Buddha and Mahavira came from the background

of republican states. The philosophy of Buddha and Mahavira goes around the idea of republican states and its principles. Each Mahajanapad had a capital city and most of the Kings of Mahajanpad had built forts around them to be safe from internal as well as foreign invaders. New Kings and Rajs maintained regular military forces. To run the kingdom they had been collecting taxes from farmers, craftsmen, herders, hunters and traders.

Understanding Gram Sabha as Panchayat Sabha

The practice of local governance is not novel in India; it has a long history. At the outset, it should be clarified that the difference between gram sabha and gram panchayat. Gram sabha is a self-motivated informal local people's governing body while Panchayat raj is also a local people governing body but the members of it are elected representatives. Local or self-governance has been endorsed to empower people at the grassroots, at the village to administrate all its affairs and sort out its issues, specifically social, cultural, religious and economic. Group people solving such issues are called panchas, the members of gram sabha, therefore, it is named gram panchayat as units of local government. Earlier, people were thinking that local governance means nothing but the reflection of unity of the village people. The gram sabha evolved into a panchayat (an assembly of five wise local people), they assumed a central authority to tackle issues and disperse justice. "They interfaced with the higher authorities, local chieftains to maharajas, separated in power and authority. Villages functioned as self-governing village republics. This continued till major changes and restructuring of the administrative hierarchy began with British colonialism" (Bijoy 2012,06)

Over time, national political leaders and reformers gave it informal institutional status and political shade. So the economical and social policies could be implemented through its structure by its people for their development. The Government of India Act of 1919 produced local self-governing institutions with full majority and power over local affairs. "As a result, a number of provinces and princely states enacted laws: Village Panchayat Acts in Madras, Bombay, Central Provinces and Berar and Uttar Pradesh in 1920; Self-Government Act in Bengal in 1919, in Bihar in 1920 and in Assam in 1925; and the Panchayat Act in Punjab in 1922. Later the Government of India Act of 1935 introduced provincial autonomy and elected governments" (Bijoy 2012,pp.06).Under this influence, the contemporary social and political reformers endorsed the very idea of decentralisation with the hope of the possibility; it could be instrumental in bringing social and economic development so the village people would be more strengthened.

Decentralisation transferred administrative power to local gram panchayats instead of constitutional high authorities. It followed a reverse approach that is bottom to top, therefore, executive authority and power of plan, decision making and designing the policies have vested in the hands of the village panchayat. "On decentralisation, the Royal Commission in 1907 stated that 'it is most necessary for decentralisation of power and in order to group people with the local tasks of administration that an attempt should be made to constitute and develop village Panchayats to manage village affairs"(C&Cdimension). Some of the provisions for the making of local self-government were introduced in 1919 through administrative reforms and in 1935 through provincial legislation (Stephan, 2001, p. 6). In fact, Lord Rippon had proposed that there should be local bodies for the well-being and development of rural people in India (Mathew, 2003, pp. 3–5).

Mahatma Gandhi's philosophy of Panchayati Raj System and Rural India

Since the Royal commission the idea of Panchayati Raj had not been addressed adequately till the entry of Mahatma Gandhi who took this issue on a wider level and gave it a formal institutional and political shape. The Royal commission came in 1907 and while Mahatma Gandhi was boarded on the ship from England to South Africa. During his voyage he wrote in his booklet the idea of "Hind-Swaraj' about the Indian freedom movement and representative democracy in India. 'In chapter 4th (What is Swaraj and 5th the Condition of England) the unambiguously rejected parliamentary representative democracy, like that of England as a model for India. The rejection is clear and total' (Hirala, pp.17). Instead, he advocates the panchayat raj system with the noble idea of decentralisation of political and administrative power, to empower and provide greater autonomy to the village panchayat For this, he has suggested the five-tier panchayat raj system works at different stages, village panchayat, taluka panchayat, district panchayat, provincial panchayat and all India panchayats. On the other hand, his contemporary Jawaharlal Nehru has adopted the social model of the centre through his commitment of establishing PRIs in 1957. The Community Development Programme, which was the backbone of Nehru's socialist planning, was introduced in 1952 but collapsed because of administrative constraints (N. Sukumar, Lal and Mishra 2019,pp.74).

Vinoba Bhave's Idea of Gram Sabha Panchayat Raj System

Subsequently, Vinoba Bhave made his entry the debate of establishing the Panchayati raj system and its method mentioned how to be worked at the grassroot level. He was a staunch follower of Mahatma Gandhi who strongly suggested Panchayati raj system by rejecting representative democracy. However, Bhave coined a new term 'Swaraj-Shastra'. It can be called the science of self-government. Both Gandhi and Bhave intended power and authority to be decentralised, otherwise development of village people, probably not possible. Bhave wrote a booklet Swaraj Shastra in 1941 when he was in jail, he describes his vision of Gram Panchayat and its formula guides how to implement it at the grassroots.

Vinoba states that there could logically be three types of political orders;

(a) A wise man or capable man may look after affairs of all

(b) A number of such men may come together to look after the affairs of all and,

(c) All the people may come together and look after their affairs with equal responsibility (Hiralal,pp.7). For this he has coined the three terms as *ekayatan*, rule by one, *anekayatan*, rule by more than one and finally, *sarvayatan* rule by sarvajan respectively. He suggested that an independent India should follow the concept of sarwayatan as a political system. On the other hand, he precisely said that the **sarvayatan** system does not exist anywhere today. It has to be established. Further, he said that Gandhi is striving towards it, and he has also evolved a technique to establish such a system. He is trying to use that technique in India. "There is a polity that calls itself 'democracy' and poses its 'sarvayatan'. Its show is going on in Europe and America. But no system based on violence can be termed sarwayatam even if it pretends to work on the principle of one man, one vote. "As against this, if all the people, of their own accord, after due deliberation, entrust power to one or more of themselves, whom they know

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to be wise, competent, free from attachment and latest and devoted to the welfare of all, then that polity, althouglrekayatan (rule by one) or anekayatan (rule by more than one) in appearance, should be regarded as sarvayatan, as it is based on non-violence" (Hiralal). Ultimately, he attributes all responsibility upon the village people to run a gram panchayat with fair accountability for the development of the village. They have to figure out a wise, intelligent, free from greed and person with strong determination to be committed in the service of the society, so the political power should be vested in the hands of these people whose politics is denying the violence. Non-violence is the core idea of M. K. Gandhi has already advised in the formation of Panchayat raj system or ploity. So it directs to form simple and more effective politics in which people willingly participate and consult each other if there is an issue by consensus. Gram Sabha, village panchayat consists of adult people, participating village people in decision making. It could be called an ideal gram panchayat if that panchayat adopts consensus as an essential for any course of action.

Apart from this, after a long contemplation, Bhave suggested the method to justify a polity and self-government

1. International brotherhood
2. Conscious, spontaneous and sincere cooperation of all the elements within the nation, to the best of their ability.
3. Unity of interests between the capable few and the masses.
4. Regard for comprehensive and equal development of all.
5. The maximum possible distribution of political power.
6. The minimum possible governance.
7. The simplest system of administration.
8. The lowest possible expenditure.
9. The minimum possible arrangements for security and defence
10. Universal, uninterrupted, unbiased and free dissemination of knowledge.

Bhave talked about many things in the above para, however, some of them are quite significant for the gram sabha and its development at the village. Cooperation, unity of interests, conduciveness capable people, equal distribution, maximum power distribution and minimum expenditure are all crucial elements in order to empower the gram sabha. Apart from this, there should be sound relationship and cooperation between wise people and the masses to have a healthy environment and strong gram sabha where people have to participate in the decision-making process by their own consensus.

Balwant Rai Mehta Committee in 1957

The Balwant Rai Mehta Committee in 1957 was appointed by the Government of India to look into the matter of gram sabha and measure their progress. Mehta recommended the establishment of a three-tier Panchayati Raj system, gram panchayat at the village level, panchayat samiti at the block level, and zilla parishad at the district level (Verma, 1995). The three tier bodies work unitedly and should have sound communication and transparency in these bodies. The panchayat samiti is an executive body while zila parishad is the body to advise, coordinate with panchayat samiti. These two institutions have to plan, design and execute them.

'The State Government should give to these samitis adequate grants- in-aid conditionally or unconditionally or on a matching basis, with due regard to economically backward areas' (Balwant G. Mehta Report 1957). The power and responsibilities have to transfer to these bodies. 'Resources should be provided to the concerned institutions for them to perform adequately; the flow of all social and economic development programmes should be through these agencies; a separate system needs to be created for further dissolution and distribution of power (Shivaramu, 1997, pp. 2–3). The Government should divest itself completely of certain duties and responsibilities and devolve them to a body which will have the entire charge of all development work within its jurisdiction, reserving to itself only the functions of guidance, supervision and higher planning' (Balwant Mehta report 1957). In January 1958, these suggestions and inputs were accepted by the National Development Council (S. R. Maheshwari, 2000, pp. 135–145), and PRIs came into existence in various states followed by their inauguration in Nagaur (N. Sukumar et al, 2019,74). ''BalwantMehata report recommended the establishment of the scheme of 'democratic decentralisation' which finally came to be known as Panchayat Raj. The main aim of the panchayat raj system is to settle the local problems locally and to make the people politically conscious' (wikipedia). The Panchayati Raj system was widely cherished in India but the centralisation of power during the functioning of PRIs led to its deterioration. Due to various reasons, the village panchayats finally became subordinate units of government to implement its programs (Malik, 2002, pp. 4).

The primary objective of establishing the third tier of the government is to increase democratic participation, better articulate local needs and priorities, and to ensure a more efficient use of local resources along with greater accountability and transparency. Accordingly, 29 functions have been proposed to be transferred to local governments in the rural area. These institutions have been playing an important role in several flagship programmes of the central and state governments, perhaps more role in implementation and monitoring.

Ashok Mehta committee in 1977

Ashok Mehta committee in 1977 appointed by government of India to strengthen the dclining the Panchayati raj across the country. It recommended three tier Panchayati raj system in place of two tier panchayat raj which was recommended by Balwant Mehta committee in 1957. Ashok Mehta's committee proposed a three-tier panchayat system, the first one is Zilla Parishad at the district level, and below it, the second Mandal Panchayat at the block level consisting of a group of villages covering a population of 15000 to 20000. With objectives to strengthen local governance, it has been recommended; 'Zila Parishad should be the executive body and made responsible for planning at the district level. There should be an official participation of political parties at all levels of Panchayat elections. The voluntary agencies should play an important role in mobilising the support of the people for Panchayati Raj' (wikipedia). 'It recommended the zilla parishad, as the first point of decentralisation, responsible for planning. Participation of political parties at all levels apart from various powers and functions were recommended by the Ashok Mehta Committee to ensure devolution of power at the local level' (N. Sukumar 2019,75).

G. V. K. Rao committee

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In addition, with the same intention of earlier committee's to strengthen the Panchayati raj system, the government of India appointed a new committee constituted in 1985 under the chairmanship of G. V. K. Rao. Basically, this committee has focused on the improvement of representatives, their capabilities and adequate administrative manpower in panchayat raj. 'It was also suggested that the block development officer (BDO) needs expansion of power to plan, implement, and monitor rural development programmes' (Ghosh &Pramanik 1999, pp. 215–216). 'Furthermore, in 1986, the L. M. Singhvi committee of the Department of Rural Development, GoI, recommended constitutional status for Panchayati Raj and suggested that for a decentralised democracy in India, gram sabha (village assembly) should be strengthened at the base' (N. Sukumar;2019, 75).

73rd Amendment Act in 1992

The Constitution (73rd Amendment) Act was passed in 1992 and it came into effect on 24 April 1993. It marked the beginning of the new era of inclusion and representation of marginalised groups in PRIs and ending the monopoly of any specific group in local governance bodies. It is targeted to address the needs of various groups, especially those that are excluded on the basis of race, religion, and ethnic background (Hasan, 2009, pp. 3–5). The act has recommended three-tier gram panchayats at the village, taluka and district levels and emphasised the administrative power should be devolved to gram panchayats. By this act, the state has the power to take necessary measures to strengthen village panchayats. Gram panchayats should look as units of self-government institutes having certain power and enough sources. Apart from this, the act has insisted to the election commission of states to conduct fair elections every five years by giving certain advantages to weaker sections and women. Ultimately, it made an attempt by introducing varied provisions and clauses to strengthen participatory democracy, the deprived society has to be induced to take an active part in the process of democracy.

The act calls panchayat raj in the country as a constitutional body. It is compulsory for every state to form Panchayati in their territories under article 243-B. Article 243-G makes it mandatory for the state to devolve executive powers, responsibilities and authority to the panchayat. Panchayat should dissolve after five years and conduct the panchayat election independently for another tenure. Moreover, one-third of the seats in each level shall be reserved for women (Buch, 2009) and SC/STs under the of Article 24. In short, this constitutional move gives safeguard and protection to the tribal areas and community. "The representation of these groups has been actually realised during the twenty years of the journey of PRIs in various states in different stages" (S. R. Maheshwari, 2000, p. 56). The amendment has encouraged women to participate in the panchayat raj election. After the 73rd amendment to Panchayati raj, it is observed that women have shown keen interest in occupying panchayat offices and executing functions for the people (Omvedt, 1990). According to the act, the state finance commission has the duty to evaluate the financial position of the panchayat every five years.

PESA (Panchayat Extension to Scheduled Area Act 1996 to the constitution of India

PESA is a people-centric amendment to the constitution that provides power and authority to local governing bodies for the resolution of pertaining issues and design plans for the development of the village. "PESA is unique legislation, often described as a Constitution

within the Constitution, which attempts to bring together in a single frame two totally different worlds - the simple system of tribal communities governed by their respective customs and traditions, and the formal system of the State governed exclusively by laws. The Gram Sabha was recognized as being competent to act on a range of powers" (Bijoy 2012,15-16). Panchayat (Extension to the Scheduled Area) Act 1996 is remarkable in its nature and intent in the forming of self government as Panchayat Raj in the village. PESA bars the Panchayats at the higher level from assuming the powers and authority of any Panchayat at the lower level or of the Gram Sabha. The offices of the Chairpersons in the Panchayats at all levels are to be reserved for Scheduled Tribes (STs). One third of seats are reserved for women in the panchayat. Reservations of seats at every Panchayat for the STs are not to be less than one-half of the total number of seats. Two decades have gone by since the Panchayat (Extension to Scheduled Areas) Act (PESA) was enacted in 1996 to extend Part IX of the Constitution to the Fifth Schedule Areas of Andhra Pradesh along with Telangana which is a newly formed state after the PESA enactment, Maharashtra, Gujarat, Jharkhand, Chhattisgarh, Odisha, Madhya Pradesh, Rajasthan, and Himachal Pradesh. "A unique and remarkable flagship legislation, this brings together the simple system of tribal communities governed by their respective customs and traditions, and the formal system of the State" (Bijoy, C. R. 2015,pp.01). PESA.

PESA provides provisions of safeguard, guarantee and encourage to the forest, tribal communities in formalising self government at their village, a hamlet or a group of hamlets comprising a community, with assuming all power and authority from higher competent office to handle almost all activities come under the village panchayat and that should execute according to their traditional faiths and customs. Exceptions and Modifications of the Part of XI of the constitution, however, the state legislature directly shall not make any law which is inconsistent with their village community. All villages shall have a Gram Sabha comprising its people and their names registered in the electoral rolls for the gram sabha or panchayat at the village level. The panchayat or Gram Sabha shall be competent having enough sources in preserving the traditions and customs of the people, ethnic and socio-cultural identities, the customary mode of dispute resolution. Panchayat shall be competent to approve the designed policies, programme and project to tackle related issues in the village. The designed plans and programmes should be implemented in proper methods which produce expected output in terms of social and economic development. Panchayat institutes are responsible for selecting people to benefit from different schemes. Gram sabha should distribute the certificates of the utilisation funds to the beneficiaries. One third of seats in the membership of gram sabha shall be reserved for women. "Reservations of seats at every Panchayat for the STs are not to be less than one-half of the total number of seats. The offices of the Chairpersons in the Panchayats at all levels are to be reserved for Scheduled Tribes (STs)" (Bijoy, C. R, 2015: pp,02).

The State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or at the district level that shall not be less than one-tenth of the total number to be elected in the concerned panchayat. Prevention of alienation of land and restoration of any unlawfully alienated land of Scheduled Tribes. Control over institutions and functionaries in all social sectors. The ownership of minor forest produce. Management of village markets, Control over money lending to the Scheduled Tribes, Enforcement of prohibition or regulation or restriction of the sale and consumption of any

intoxicant, control local plans and resources for such plans, including tribal sub-plans. Approval of social and economic development programs. Recommendation in granting prospecting licence or mining leases for minor minerals, and concessions for the exploitation of minor minerals by auction. Consultation on matters of land acquisition

Scheduled Area

Scheduled Area About 15% of the country's land area is tribal-dominated. During the mediaeval period these self-governing communities were generally associated with different kingdoms, however, they were excluded from the kingdoms. In later periods, the British rulers met with the revolt of tribal communities in order to be independent. Due to this persistent revolt of tribal communities, the British sought these areas as excluded. That excluded area was partially considered under the Scheduled Districts Act, 1874 with some protection. Later on, that had been incorporated into the Government of India Act, 1919. The 1930 Simon Commission "Report noted this area to be 3,10,798.573 sq kms with a population of about 11 million. This arrangement was carried over into the Indian Constitution under Article 244 – the Fifth Schedule and Sixth Schedule" (Bijoy. C. R, 2015,pp.02). The Fifth Schedule Areas covered the partially excluded areas in States other than Assam, Meghalaya, Tripura and Mizoram, while the excluded areas in Assam, Meghalaya, Tripura and Mizoram were mostly brought under the Sixth Schedule (Bijoy 2015,pp02). The fifth schedule offers safeguard for the protection of tribal autonomy, their tradition, cultures, socio-political justice and makes provisions for economic empowerment and good Governance in the Scheduled Area. The President notifies Scheduled Area and can increase or alter such areas or rescind such an order. The Governors of these States are bound to report to the President on the administration of Scheduled Areas. He can issue directions to the State to look after them and make regulations for peace and good government of Scheduled Areas. He prohibits the transfer of land by or among STs and regulates the allotment of land to STs in such areas and the business of money lending to the members of STs. The Governors have absolute authority to repeal or enforce any Act of Parliament or of the State Legislature regarding their application to the Scheduled Areas. 'These States have to constitute Tribes Advisory Councils (TAC) to inform the Governors. The 'tribal areas' under the Sixth schedule are to be governed by Autonomous District Councils with wide-ranging legislative, judicial and executive powers covering primary schools, markets, dispensaries, ferries, cattle ponds, roads, fisheries, road transport and waterways, etc (Bijoy, 2015,pp.03)

Participatory Governance

A village community is the basic unit of human society where there is maximum possible participation of people on social, political and economic levels. It could be a village or a rural or urban locality where people live together and take decisions concerning all of them through mutual discussions and evolution of consensus (Hiralal 06). Menda village panchayat or gram sabha is a best example of participatory democracy. All the people are participating in the process of decision making, dispersion of justice and social and economical activities and they have administrative power and authority. "Local self-governance, interpreted as devolution of powers and functions of the government departments by the creation of Panchayat Raj institutions (PRIs) as a national framework of governance commenced with the passage of 73rd

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Amendment to the Constitution (Bijoy 2012,06). Participatory governance or democracy is not only about the majority, numbers and representatives of any political or apolitical institutions but it is associated with the ethos of equal opportunities, accessibility and dissemination of power and authority among its people. It pays more attention that nobody should be thrown out from its ethos. Therefore, local governance could be the best alternative to dynastic control. Following this line, PESA is a milestone in forming a local participatory governance institution in the country. It is people centred democracy, gives all powers and authority to the local people to administrate and look after their affairs and concerned issues may be political, social and economic that have to be solved within itself. PESA has subverted the hierarchal structure of democracy and upholds the horizontal form of democracy in which all people have to participate in its functions and system. Local Governance in Jammu and Kashmir; the roots of the Panchayati Raj were planted by Maharaja Hari Singh in 1935 by promulgation of the Jammu and Kashmir Village Panchayat Regulation (Internet). Later on, the Jammu and Kashmir government passed many acts and provisions to strengthen the panchayat raj governance system. In the development of the local government system, the J & K government introduced Panchayati Raj Act in 1989 that advocates a three tier PRI system which is called Halqa panchayat, block development council and District Planning and Development Board for the village. Each Halqa Panchayat comprises 7 to 11 panches and a sarpanch. The sarpanch and panches are elected directly by the people. A naib sarpanch is nominated by all the panches of a Halqa Panchayat.

Therefore, states should come forward to establish village panchayats and endow them with necessary sources along with powers and authority to function as units of self-government. "Over the decades since the decadent feudal landlordism with its oppressive exploitation began crumbling, both these viewpoints seem to behave progressively moved upfront to finally converge with Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) where relatively the feudal structures were at its weak and self-governance in an egalitarian tradition continued to persist (Bijoy 2012,06).

Chapter- 2

Methodology and Review of Literature

. . . .

Introduction:

The structure of local self-governance has taken a leap forward in promising dignity of life, choices, and natural human rights to the common citizen at the village level in India. The institutionalization of local-self-government since 1990 has also amplified the process of decentralization at grassroots levels. Especially, after the enactment of PESA and FRA acts several changes in the border social fabric have been noticed especially at the rural-tribal *Garm Panchyats* and *Gram Sabhas*. New alternative governance structures are emerging that are fundamental for the promotion and protection of the human rights of the most excluded groups such as tribal and forest communities. Tribal and forest communities are considered high-risk human rights groups. Due to their remote locations and the hostile environment affected by extremist groups, the issues of human rights become more severe. Local self-governance institutions are democratic systems that respect the fundamental human rights of every citizen and provide equitable opportunities for the citizens to take part in their own development by adopting alternative participatory governance strategies.

However, in spite of the significant contribution of Local self-governance institutions in the sphere of promotion and protection of human rights, the area has been less discoursed and understudied especially, in the context of challenging conditions like pandemic and extremist environment. Thus, locating with this conceptual and analytical premise, the proposed study is an attempt to scientifically document and analyze some of the representative case studies of Gram Panchayats located in the remote and extremist affected areas in the states of Maharashtra and Chhattisgarh which will help the policymakers and administrators in understanding and preparing future policies in the specific context of alternative participatory governance models and socio-culturally relevant strategies evolved by these select *Gram Panchayats* to safeguard and promote fundamental human rights of FTCs during the times of wide-scale disasters and under the anxiety of extremist activities.

Thus, after having a detailed contextual understanding of the topic under investigation in the introductory part, this section intends to describe the important facets connecting to the research methodology adopted for the present study and further covers a brief review of the literature.

Objectives of Study

This sub-section consists of general and specific objectives, which at first present general objectives in order to define the foundation for identifying specific objectives, subsequently.

A) General Objective:

To understand and explore the emergence of the new consummate role of *Gram Panchayats* and *Gram Sabhas* as frontline grassroots institutions in forging a holistic participatory local governance model for safeguarding inherent human rights of Forest and Tribal Communities.

Based on the general scientific objective and taking into account the dimensions that emerged in the previous chapter the following broad ***specific objectives*** have also been investigated for further deeper investigation:

1. To investigate locally relevant and socio-culturally appropriate participatory local governance strategies adopted by *Gram Panchayats* to safeguard the inherent human rights concerns of FTC.

2. To study the pattern and significance of new transformative alternative democratic local governance structures emerging at the grassroots level to protect and promote the inherent human rights of FTCs.

3. To examine multiple challenges encountered by local-self-governance institutions in instituting and promoting human rights especially under the hostile environment due to extremist actions and alternative strategies for an active engagement of FTC to take ownership towards their development and human rights at the grassroots level.

4. To study the outcome and benefits of *Gram Panchayats* COVID governance strategies for the promotion and protection of natural human rights of FTCs concerning traditional livelihood/employment, customary businesses, and health and food.

5. To come out with actionable recommendations and suggestions in the existing local governance policies like Pandemic governance, Gram Panchayat Acts, FRA, and PESA with special reference to the promotion of human rights and local governance.

Thus, in order to operationalize the study objectives, each specific objective is being addressed independently in the report in juxtaposition with a problem under investigation.

RESEARCH DESIGN AND METHODOLOGY

4.1. Research Design:

The proposed research employs ***an applied social science research design***. Applied research is a type of research design that intends to solve or provide scientific answers to a specific problem and offer innovative solutions to issues affecting an individual, group, or society (Bickman et al, 2009). In order to study the role of *Gram Panchayats* and *Gram Sabhas* as frontline grassroots institutions in forging a holistic participatory local governance model for safeguarding inherent human rights of Forest and Tribal Communities in the remote and extremist affected areas, this research purposively selects unique study areas and samples which comes under highly remote and extremist affected zones. The study area and samples include two states **Maharashtra**(*3 districts and 6 Gram Panchayats*) and **Chhattisgarh**(*2 districts and 4 Gram Panchayats*) and a total of **1120** sample respondents selected from *4*

specific categories/groups as study sample respondents (SSR) based on purposive sampling method.

Planing>>>>>		>>>>>Execution	
Stage I	**Stage II**	**Stage III**	**Stage IV**
Development of an understanding of the relevant problem or societal issue	Involves several decisions and assessments, including selecting a design and proposed data collection strategies	Field intervention; data collection/validation; identification of problem; analysing parameters; developing policy framework	Developing framework for report writing, putting problem based policy solutions in the framework

Fig 1: Executing applied social science research design: Key stages
Source: Authors conceptualisation

Methodology:

Selection of Study Area and Samples

The proposed study adopts two stages for selecting the study area and samples;

In the first stage, a total of 10 Gram Panchayats has been selected from 5 Districts encompassing 2 Gram Panchayats from each District from two states **Maharashtra** (*3 districts and 6 Gram Panchayats*) and **Chhattisgarh** (*2 districts and 4 Gram Panchayats*) by using purposive sampling method based on following criteria. In the second stage, a total of **1120** sample respondents were selected from *4 specific categories/groups* as study sample respondents (SSR) based on the purposive sampling method (See Table 1).

Stage I: criteria for selection of study villages/ Gram Panchayats

i) Villages/Gram Panchayats located in far-flung, remote forest and extremist-affected zones;

ii) Villages/Gram Panchayats administered either under FRA and or PESA;

iii) Villages/Gram Panchayats emerged as representative cases for the COVID governance model and for protecting/promoting the human rights of FTCs as reflected in preliminary studies and authors' primary observations.

Stage II: Selection of Respondent Categories/Groups

In order to collect and obtain data/information four groups/categories of respondents have been selected namely;

Group-I villagers in the selected Gram Panchayats, both male and female respondents will be selected equally from ethnographic village-level household surveys.

Group-II Members of *Gram Panchayat* and *Gram Sabhas/ Gram Sabha* Federations; both male and female respondents will be selected equally.

Group-III Administrators from Taluka/district level dealing with Local Self Governance/FRA and PESA

Group-IV representatives from facilitating NGOs; forest rights groups and activists dealing with Local Self-Governance/FRA and PESA

Table 1: Structure study sample

Sr.no	State and Districts	Samples				Total
		Gr 1	**Gr 2**	**Gr 3**	**Gr 4**	
A	Maharashtra	6 GP				
	Gadchiroli	166(83-83) 2 GPs	5(2GPs) 10	5	5	186
	Chandrapur	166(83-83) 2 GPs	5(2GPs) 10	5	5	186
	Gondia	168(84-84) 2 GPs	5(2GPs) 10	5	5	188
	Total -A	**500**	**30**	**15**	**15**	**560**
B	Chhattisgarh	4 GP				
	Rajnandgaon	250(125-125) 2 GPs	15	7	7	280
	Kanker	250(125-125) 2GPs	15	8	8	280
	Total -B	**500**	**30**	**15**	**15**	**560**
	Grand total A+B Sample Size	1000 Respondents	60	30	30	**1120**

Locale of the Study

The research setting is the physical, social, or cultural context within which the research is carried out which is much crucial since the results and their interpretation largely depend on it. The setting of the present study includes the Physical, human, social, or cultural context viz:

Physical/Geographical Context: at first, the study locates its geographical setting covering isolated, forest-covered, and extremist-affected districts of Maharashtra and Chhattisgarh by adopting multiple sampling methods. Secondly, it specifically selects representative *Gram Panchayats* and select groups of respondents from both states.

Human, social or cultural context: the study covers area of dense forests primarily inhabited by almost 15 distinctive tribal groups with very unique traditional socio-economic, cultural and political features. Most of them are severely endangered and Particularly Vulnerable Tribal Group (PVTG). The government defines the community as one of the country's Particularly Vulnerable Tribal Groups (PVTGs) because of its reliance on hunting, gathering, fishing and declining population among other criteria.

Table 2: Distinctive tribal groups in the study area

Name of District	State	Name of Tribes
Gadchiroli	Maharashtra	*Gond, Madia, Maria Gond, Pardhan, Kolam, Arakh, Rajgond, Halba, Halbi, Kawar, Kaur, Pathari, Saroti, Halbi, kawa*
Chandrapur	Maharashtra	*Kolam, Gond Arakh, Rajgond, Halba, Halbi, Kolam, Mannervarlu, Pardhan, Pathari, Saroti*
Gondia	Maharashtra	*Arakh, Gond, Rajgond, Halba, Halbi*
Rajnandangaon	Chhattisgarh	*Gond, Kawar, Halba, Baiga*
Kanker	Chhattisgarh	*Maria, Gond, Ojha, Muria, Bhatra*

Source: https://tribal.nic.in/?aspxerrorpath=/index.aspx
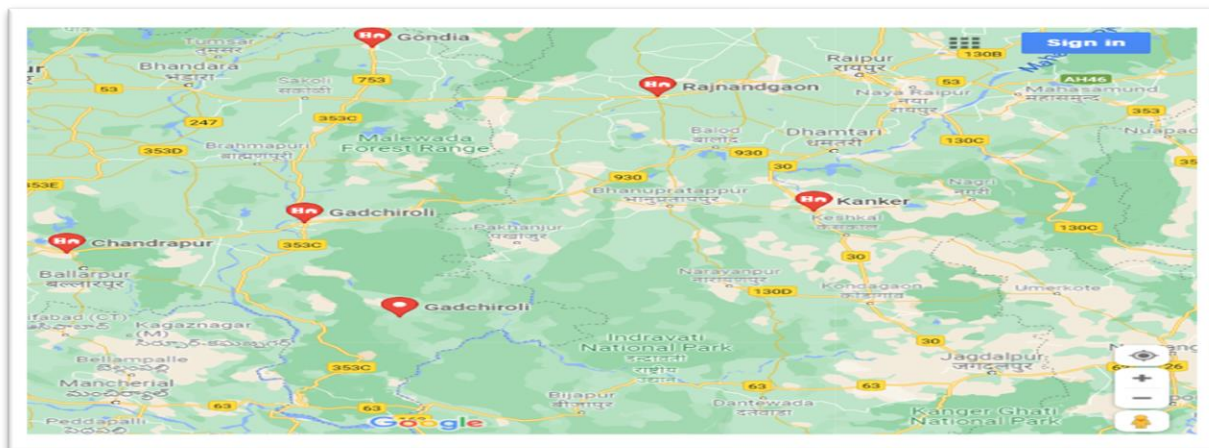
Fig 2: Map showing study area Gadchiroli, Chandrapur, Gondia (Maharashtra State) and Rajnandgaon and Kanker (Chhattisgarh State)

Data Collection:

In order to collect quantitative data, the study uses household survey methods and Face to face interviews using structured and unstructured interview schedules. In order to carry out research in remote and sensitive areas it requires a team of dedicated research scholars. For the present study, a total of 10 field investigators were appointed for four months. For each gram panchayat there was one dedicated field investigator was appointed including one post of research associate was also appointed. Initially, there was a training workshop to create awareness and get acquainted with the subject was organized. Initially, a desk review helped us to draw a broad context of the study. Based on the desk review few specific indicators were developed that helped to prepare an extensive interview schedule, along with the desk review the research team also did a pilot study to gather a basic understanding and taxonomy of the problem under investigation. Apart from the interview schedule data was also collected through open-ended questions, experience sharing, and group discussion. Particularly to collect policy suggestions from the diverse stakeholders such methods helped a lot.

Review of Literature

This section is an attempt to provide a synoptic overview of this research project and offer a short description of what study has been done so far about local governance at the grassroots, especially in forest remote areas and tribal communities, gram panchayats, and their connection with human rights. Regarding this, it also offers a short history of human rights and their development, widened connotations in the present scenario, and how human rights are being located in India.

The Meaning and Development of Human Rights

The very concept of human rights is fairly new and now everyone believes that they are entitled to certain human rights. Rigorously it took an advanced step after World War II to propel human rights and its dissemination worldwide and into the world conscience. Nevertheless, the roots of human rights lie in earlier social, political, cultural, and religious traditions. "Most societies have had traditions similar to the "golden rule" of "Do unto others as you would have them do

unto you." The Hindu Vedas, the Babylonian Code of Hammurabi, the Bible, the Quran (Koran), and the Analects of Confucius are five of the oldest written sources which address questions of people's duties, rights, and responsibilities" (Flowers, 1998, A Short History of Human Rights). It emphasizes that everyone is entitled to be an equal under this rubric cosmos and since human beings have to follow moral reciprocal righteous duties to have harmony in our society. The United Nations Office of the High Commission for Human Rights defines human rights as "Rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination" (Universal Declaration of Human rights, 2019). Human rights are natural rights, they are rights of individuals that can not be taken away from them in any circumstance because they are rights of human beings. Even a human being cannot deny them when he or she feels these rights are not important to them. According to the Universal Declaration of Human Rights, human rights constitute both civil and Human rights remain until they cease being human beings. political rights (Articles 1 to 21) and economic, social, and cultural rights (Articles 22 to 28) (Mathew 2003,155).

Natural rights theorists have asserted the existence of specific rights, most notably the Right to Self-Preservation (Hobbes, 1651) and the "Right to Property" (Locke, 1690). These fundamental rights were not debated and not taken into widespread discussion; they were simply accepted by like-minded people as self-evident. John Locke, a celebrated English Philosopher, who is known as the "Father of Liberalism" in his Second Treatise on Government (1690), described a "state of nature" before the creation of a society in which individuals fended for themselves and looked after their interests. These rights neither be rejected nor received by others but they are inherently bestowed by nature. A person is bestowed human rights to live a safe life, to have property, and liberty. Therefore, these human rights are unalienated. "Human rights are not derived from a particular situation; they are rights which belong to a man simply because he is a man" (Cranston, 1962). However, in ancient times there was a divine right to rule a political territory, and a person must have a divine right to rule the state. The Divine right traces out through dynastic genealogical order. The common people could not claim the divine right to rule the state. Charles Ist, king of England who believed in an absolute right, the divine right, had come into monarchy on the death of his brother Prince Henry. But Charles I st could not maintain political and social peace and stability in England and Scotland during his reign. He also failed to negotiate with an emerging independent political group called Puritans, parliament under the leadership of Cromwell and his party won the prolonged civil war from 1642 to 1651. And finally, Charles Ist was executed. However, after a decade his son, Charles IInd succeeded him and declared himself King of England in 1660 by having the divine right. "It had begun to be recognized that there were certain things that the all-powerful state should not be able to do and that people should have some influence over the policies that affected them" (Brander 2020:397). Here in the context of human rights, common people could claim natural rights but not the rights themselves. Locke‟s classical liberalism philosophy helped to understand categorical entitled rights such as individuals and governments. It found many documents, struggles and revolts against the divine rule in the development history of human rights. Different documents were introduced at different points in times wherein human rights started to be protected and promoted. These documents were asserting human rights as natural

rights of man; however, those early documents did not include all human rights of human beings. These documents were male-centric, specifically who belonged to high-class society. The referred documents excluded women, and people from weaker sections of society in terms of culture, social, political, and economic. They had been leading their lives in deprived situations. The assertion of human rights had begun in the early thirteenth century by introducing treaties called the Magna Carta in 1215 between King John of England and noblemen who were in rank next to the King who rebelled against the King's rule and suppressive policy. It is known that royal charter treaties were signed by King John to have peace between King John and the noblemen. It assured the protection of the church's rights, high-ranked people's rights next to the King, and put restrictions on the illegally imprisoned. However, it was annulled by his following successor King Pope Innocent III. Here it is not a matter that was annulled but it is a matter of historical significance that set forth a fighting background for their natural rights. From that point of time onwards many documents were introduced in the process of human rights development such as Flowers noted the English Bill of Rights (1689), the French Declaration on the Rights of Man and Citizen (1789), and the US Constitution and Bill of Rights (1791) are the written precursors to many of today's human rights struggles. "These rights began to emerge as a theory during the seventeenth and eighteenth centuries and we're based mostly on political concerns" (Brander 2020:397). Perhaps, these documents were referring to a particular territory, people, and society rather than the whole world and its people. "Nevertheless, natural rights were not widely contested as they were asserted in a limited universe of shared Western values" (Renteln, 1988). Now, these natural rights have come to be known as the rights of everyone and are used in a wider context as human rights because they belong to human beings. The Oxford English Dictionary defines a right as "a justifiable claim, on legal or moral grounds, to have or obtain something, or act in a certain way." The classic definition of a human right is a right that is universal and held by all persons. Efforts were made in the 19th century to abolish the slave trade and its practices from European imperial colonies such as plantation colonies in the Caribbean islands, to free black African laborers and East Indian labors, and colonial masters were restricted not to recruit people who are unwilling to be a part of the migration movement. "The Universal Declaration of Human Rights ignored colonialism, which involved the brutal and systematic denial of most human rights to most Africans, many Asians, and a large number of Latin Americans" (Donnelly, 2013). Concerning this issue, many social and humanitarian-based organizations came forth pressuring the government to abolish and uproot inhuman activities happening in imperial colonies to have enormous benefits in the name of development. The Slavery abolition act of 1833 of the parliament of the United Kingdom was passed by Early Grey. During the 19th century, the result of this act was reflected in succeeding years through the gradual abolition of slavery in the various empirical colonies. It was initially set up by humanitarian-based organizations in European countries. "In 1919, countries established the International Labour Organisation to oversee treaties protecting workers concerning their rights, including their health and safety. Concern over the protection of certain minority groups was raised by the League of Nations at the end of the First World War" (Flowers 1998). Even though the organization was founded to establish peace and harmony among various countries, it failed to achieve set goals. It failed because the United States refused to be a part of that treaty and Japan broke its norms and condition to invade China and Manchuria in 1931. Therefore, questions

have been raised about its safeguard and guarantee that entitled human rights are secured and protected. "The claims of human rights rest on a prior moral and international legal entitlement. The source of human rights is man's moral nature. Human rights are at once a utopian ideal and a realistic practice for implementing that ideal" (Donnelly, 2010). To be protected and not to be violated entitled human rights everyone has to be obliged to secure, protect and promote them. Aleksandra Visacki Office worker in Belgrade, Serbia, says that "We cannot expect the international community or institutions to solve our problems until we clean up our backyard. But the basic question remains in the meantime: What is the Declaration going to give to the ordinary people whose basic human rights are constantly violated in every possible way?"

The human rights movement emerged and surfaced profoundly after World War II. The extermination by Nazi Germany of over six million Jews, Sinti and Romani (gypsies), homosexuals, and persons with disabilities horrified the world (edit Flowers 1998). The world war caused unprecedented destruction to societies and killed millions more and uncountable physically disabled people and that had induced international communities to ponder upon human beings and their precious lives had been brutally crushed. Perry (2010) while discussing the idea of human rights says that this idea has emerged in international law in the period since the Second World War. People wanted their lives, freedom of speech, justice, shelter, and national identity to be secured and not be denied. The essence of these emerging human rights principles was captured in President Franklin Delano Roosevelt's 1941 State of the Union Address when he spoke of a world founded on four essential freedoms: freedom of speech and religion and freedom from want and fear (Flowers 1998). The United Nations emerged as a champion of promoting and securing human rights and also committed to globalizing them. Freedman (2015) however argues that although the United Nations has largely been doing well in upholding and developing international human rights within member states it has seriously failed to protect individuals and vulnerable groups from the abuse of the same human rights. Most societies have traditional rigid socio-cultural norms and people of these societies have prejudiced conceptions looking toward fresh emerging views and social ideas that are considered modern. So, it is not quite easy for them to move on with these. The United Nations has a complex and rigid bureaucratic system, lack of cooperation and internal politics become hindrances in upholding human rights. Freedom, equality, and solidarity are the three most significant attributes of human rights doctrine. The above-mentioned attributes were adopted in 1948 by the United Declaration on Human Rights (Benedek, 2006).

India is a diverse country in many ways from the rest of others, in terms of social, cultural and political. It has been facing many issues of social, economic and cultural and spiritual hierarchy before and after the independence and still, they are on the floor. Its constitution ensures the fundamentals synonymously, they could be called human rights to the citizens, however, it has a serious issue of implementation, perhaps due to its internal social, cultural intertwined complexity and entry of religion in politics which is playing a dominant role in the decision as well as policy-making through invisible ways. As a consequence of this, the status of Indian society is in dichotomy. The consequences of it have surfaced through the violation of human rights. There are plenty of etymological incidents narrating the stories of violation of human rights, and fundamental rights, generally, these stories of the people who came from downtrodden, tribal and minority communities and intensively women. As per the report of

NCRB (2017), 3,59,849 cases of crime against women were reported in India (The Hindu Net Desk, 2019). These victimized people are illiterate so they are unable to access the redressal statutory institutes. It couldn't be denied that these many more incidents of vulnerable communities are being suppressed under the carpet of political power, network and historically socio-cultural hegemony. "The numerous reports of violence and discrimination indicate that Dalits remain India's "broken people" (Hanchinamani, 2001).

Table 3: International Conferences Documents and Meetings Relevant to UNFPA

1948	The Universal Declaration of Human Rights (United Nations General Assembly)
1948	The Convention on the Prevention and Punishment of the Crime of Genocide
1950	The European Convention for the Protection of Human Rights and Fundamental Freedoms
1965	The International Convention on the Elimination of all Forms of Racial Discrimination
1966	The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights
1979	The American Convention on Human Rights
1979	The Internal Convention on the Elimination of Discrimination against Women (CEDAW)
1981	The African Charter on Human Rights and Peoples" Rights (The Banjul Charter)
1984	The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
1984	The Convention on the Rights of the Child
1989	The Declaration of Principles of Indigenous Rights

Source: Baylis et al, 2008, p.1048, Report of the research project 2019,p.13

Baylis, Smith & Owens (2008) state that human rights are an ideal anchor in the process of globalization. In the initial phase of its development, human rights were associated with regional and political legal systems, however, the approach toward human rights has appreciably shifted during the last six decades in the international human rights network and its legal complexity has grown. Earlier human rights struggle was limited to freedom of speech, assembly for their rights, and participation in governmental and political affairs but later human rights attention extended to encompass many things such as social, cultural, educational, and women's rights are human rights. It simplifies the understanding of human rights which evolve around individual rights since a person is a human being. In the process of, development and enforcement of human rights from time to time, many social, cultural, and historical

civilizations have modified rigid internal complexity and their common approach to seeing the person, their affairs, and the dignity of human beings. Predominantly, the ideas of human rights had been promoted in Europe. "By the late 18th century, the idea of human rights, which used to refer to "rights of man", further started inculcating "rights of women" along with the rights of non-European slaves as well (Project report April 2g forward to sort out there concerning basic issues in the area of health, malnutrition, and woman. NGOs such as Amnesty International, the Antislavery Society, the International Commission of Jurists, the International Working Group on Indigenous Affairs, Human Rights Watch, Minnesota Advocates for Human Rights, and Survivors International monitor the actions of governments and pressure them to act according to human rights principles. "NGOs such as Amnesty International, the Antislavery Society, the International Commission of Jurists, the International Working Group on Indigenous Affairs, Human Rights Watch, Minnesota Advocates for Human Rights, and Survivors International monitor the actions of governments and pressure them to act according to human rights principles" (Flowers 1998). These activities have encouraged us to have a conducive atmosphere for affirmative international law and diplomatic practices. In the post-independence era number of international treaties and declarations regarding human rights take place to promote and reach out to most remote areas people in which non-governmental welfare organizations (NGOs) such as Amnesty International and intergovernmental organizations (INGO) have emerged to promote human rights and contribute for the betterment of, especially deprived people in terms of social, educational and economical.

Human Rights and Challenge

There is no hyperbolism in the statement that almost seven decades after its issue, the Universal Declaration of Human Rights is still more a dream than a reality. Violations exist in every part of the world (Singh D.P p. 35). International human rights and national human rights and non-governmental organizations are working to protect and promote and assure common people their human rights are safe under the law. But at the grassroots level, it finds reality is far away from its human rights vision. D.P Singh stated that human rights violation is open and it can be found across the world, therefore, it is a foremost challenge for the human rights department and other welfare organizations upholding essential human rights to reduce such violation and bring peace and stability to common people's lives. It needs support, significantly, from fundamental religious and prejudiced people and legal institutions to achieve the set goals by the human rights movement. "We cannot expect the international community or institutions to solve our problems until we clean up our backyard. But the basic question remains in the meantime: What is the Declaration going to give to the ordinary people whose basic human rights are constantly violated in every possible way? (Flowers 1998). It is a direct question to the universal declaration of human rights, however, UDHRs itself has articulated that being a human every person has the freedom of speech, equal access, the right to participation in public and political activities, assembly for their natural rights if they were hampered and freedom of spiritual beliefs. Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy the freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people (UDHR 1948). All things and

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commitments are listed on the paper; not executed in reality. "The moral failure of politicization also dents the integrity of human rights leadership and the objectives of human rights" (Habibi, 2007). "Educators, along with other social and public policy-makers and professionals, therefore have a significant role to play in turning these social exclusions into social inclusions. In doing so, however, they must confront several challenges". (UNESCO 2011;p,15). Our present society contains many serious issues of social exclusive hierarchy, poor and rich as such have and have not, gender biases, ethnic disparity, and colour hindrance in achieving and implementing human rights. In general terms, social exclusion and inequality, on various indices, present a threat to social systems because of the way in which such exclusion leads to the negation of human rights and to increasing social injustice (UNESCO 2011;p,15). It is necessary if we as human beings want society to be free from all evils which exist in it and human rights to be secured; it is our duty to be open-minded and the ethos of human rights must be executed by all human beings in their daily lives, irrespective of national, social and cultural identities. Politicians have to play a cruel role and they have to be free from all prejudices to bring all declarations of human rights principles into reality. A model village called *Menda Lekha* is an epitome in this context that follows the moral ethics of humanity and consent of all villagers and inclusive participation in the democratic process and decision-making regarding the village affairs. Villagers from this village play an important role in safeguarding, protecting, and promoting human rights by participating in all democratic activities. "Amartya Sen considers that "Human rights can be seen as primarily ethical demands…Like other ethical claims that demand acceptance, there is an implicit presumption in making pronouncements on human rights that the underlying ethical claims will survive open and informed scrutiny" (Mark 2016;02).

Hard Times for Human Rights (2017) written by Forsythe explains adverse situations facing human rights disseminators in the present time. He brings an important point to researchers' attention to the upsurge of a new nationalism pursued by autocrats either both elected or not. "He points towards the need to reaffirm the importance of human rights at a time when hyper-nationalism, the pursuit of mythical national greatness, a dangerous emphasis on military force, damaging policies of erecting national barriers, and meanness towards the outsiders and the dissidents (Report of project research 2019). The frequent reports on the killings of low caste men, women, and children are not only restricted to backward states, where the process of decentralization of power to the local level has not taken off. Caste violence is part of the social reality in other states as well except in West Bengal, Tripura, and Kerala where political consciousness is high (Mathew 2003;157). In the recent panchayat elections in Bihar, over 96 people including a magistrate and several candidates were killed during the polling and more than 40 candidates were murdered in different districts between the notification of polling and the filing of nominations. Studies have shown that most of these killings were the result of the caste war (Mathew 2003;157). panchayats. The people belonging to the lower castes are being subjected to unabated atrocities, particularly through the connivance and collusion of the state administration and the local police. In many instances, cases are not even registered against the perpetrators (who are mainly the upper castes) by the police who are greatly influenced by the upper castes or the majority of whom belong to the upper castes. Therefore, the fact-finding report of the collective of concerned writers and intellectuals of Tamil Nadu on the caste riots

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in the Rajapalayam area of Kamarajar district, 1997 has recommended that at least one-third of the officials of various ranks in both revenue and police departments must be from the affected sections (Mathew 2003;157).

Human Rights in India

The violation of human rights is quite openly surfacing across the world and India is not instead; it is the most complicated society and has peculiar social norms, diverse culture, and a large population. The Declaration of human rights united nations in 1948 urged the whole world to uphold human rights and where India was a very young independent country, from the rule of the British empire after restless fighting for a long period, facing multiple issues of poverty, unemployment, high illiteracy rate, evil practices in society and cultural complexity. Indeed, it was a tough task to get effective results or implement human rights in India. The National Human Rights Commission was established in 1993 by an act of parliament. It was accorded by this act to perform certain duties in protecting and promoting human rights and has to be reached out at the grassroots level. India adopted its Constitution in 1949, which defined India as a sovereign, secular, democratic republic (Basu, 2018). The constitution of India offers fundamental rights which include freedom of speech, movement, religion, faith, and freedom of choice. For what intent the human rights urges the whole world, most of them Indian constitution given to its citizens. India also has an independent judiciary and other institutes to sort out the issues of human rights. Despite all of these, India has been facing difficulties in implementing them in reality. Human rights have declared many provisions and clauses from time to time, the first phase of human rights talked much about universal rights are human rights since man is a human being, and in the later phase, they included women, social, cultural, political, and economic rights; the encompassing area of it has been broadened. It is very hard to define it precisely. But when we come to Indian society, we will certainly ponder whether human rights work in India.

"There was also a consensus in Vienna at the Second United Nations World Conference on Human Rights in 1993, where the 'right to development was recognized as a universal and inalienable right and an integral part of fundamental human rights. But these did not have any significant impact on the character of the Indian state for some (Mathew 2003,155). Why does not India have any impact on human rights? The caste, source of hierarchy, hostility, and disparity is a foundation of Indian society, variation in their cultures, dominant people suppressing inferior people, Dalits and minorities facing atrocities each day, and women are treated as the subject of harassment. Tribals are not permitted to exercise given rights by the constitution. There are plenty of atrocity incidents bubbling up after the 73rd and 74th amendments to the constitution which made special provisions offering reservations for SC, ST, and women participation in gram panchayat and corporation elections. George Mathew noted in his writing many such violent and bloodshed incidents were taking place following these amendments. Much of them took place in Tamilnadu and Madhya Pradesh wherein the elected president belonging to ST communities was murdered along with other two fellows. In India human rights have to be studied at three levels: first, state violations of human rights; second, socio-economic factors which work against the rights of the people; and third, denial

of the right to livelihood and decent living conditions leading to indignity and lack of self-respect for a majority of the people (Mathew 2003,155).

Gram Sabha, Panchayati Raj system

Mahatma Gandhi said that "India lives in its villages". Although the gram sabha and panchayat raj system couldn't find their place in the constitution of India so the system of Panchayati raj and informal gram sabha had been overlooked by state and central governments. 'The Constitution of India (Article 243A), on the other hand, defines gram sabha as a body consisting of persons registered in the electoral rolls relating to a village within the area of the panchayat at the village level (Nimbria 2001:3115). Making the Gram Sabha Work is an article by Namibiar has pointed out the significance of gram sabha at grass root level which is historically considered profoundly working in accelerating democratic activities, calculating communities spirit among villagers, bringing social and political consciousness and awareness of constitutional rights and providing space for the people as well as from weaker sections of the societies to put forth their opinions. The present paper critically analyses the reality of Gram Sabha and its functioning process at the village level and its role in the democratic sphere and making it stronger in the real sense. The vast literature on Panchayati raj has labelled the gram sabha as the gateway to grassroots democracy, the base of Panchayati raj, one of the most important institutions of the new direct democracy at the village level, a mechanism to bridge the gap between civil society and the state (panchayats) (Fernandes 1999). In addition, Rajni Kothari said that gram sabhas as 'watchdogs' coming between "the politician-bureau- cratic nexus and making them responsible and accountable...a force to reckon with". All these elements and functioning processes at the village level by gram sabha, Nambiar has critically studied. He conducted a study for a long period of six years in various states. On visiting the field in two states Govindgarh panchayat samiti in Jaipur, Rajasthan (May 6-20, 2001) and Panchkula and Mahendragarh in Haryana (June 23- July 15, 2001), various issues came up during discussions with the people, community-based organizations (CBOs) and government functionaries. He finds a dismal picture of citizens' participation in the gram sabha, making these meetings a legal formality. Are the meetings now being held any differently? (Nambiar 2001;3114). He raised a question about the general perception of gram sabha and its working result in reality. This study finds many issues of gram sabha and its role in making a democratic atmosphere at the grass root level. Issues like lack of women's participation in gram sabha meetings, most villagers are not imitated for its meetings, inappropriate time management, women thinking there is no point in attending meetings since their presence in meetings is overlooked and rarely raising questions about the function of the gram sabha. This study also finds ward meetings followed by gram sabha which have positive results since the sound participation of women in ward meetings (Mohala meeting) in Rajasthan. Many states have varied patterns of conducting gram sabha. Rajasthan and Haryana are conducting gram sabha meetings according to their norms in twice or more than twice a year. The functioning of the gram sabhas was studied by a team set up by the government of India and chaired by R R Diwakar. The team identified several reasons for its unsatisfactory performance ranging from lack of time, lack of communication, the unwillingness of the 'pradhan' or members to convene regular meetings, and lastly, the apathy of the villagers (Nambiar 2001;3115). In short, this paper has come across the gram sabha has many issues such as participation, lack of

information, party politics, social prejudices regarding women's participation and improper management by the gram sabha. Voices from Niyamgiri by Jena glorified the legal battle between united 12-gram sabhas in Odisha's Rayagada and Kalahandi districts and Vedanta Aluminium and Orissa Mining Corporation. It explains the role played by 12-gram sabhas in claiming rights on forest land where they are living and the significance of recognition of the Forest Rights Act 2006, the provision for legal ownership of forest land to its dwellers. They won the legal battle, didn't give up their legal forest rights, and denied Vedanta Aluminium and Orissa Mining Corporation company from acquiring forest land to extract bauxite. Few Gram Sabha members have followed this institution of direct democracy which is more inclusive in nature. Following this form of democracy, tribal and forest communities won their struggle in Orissa, they did not give up their forest rights; they asserted their claim on Niyamgiri forest and forced Vedanta Aluminium and Orissa Mining Corporation to leave that forest. He says that it is a historic and significant precedent that could determine the course of similar developments in other tribal areas in India (Jena 2013;14). It could be seen as an institution for promoting and securing human rights.

People from Menda Lekha exercise human rights in every walk of life. It is an exceptional case where one can easily find a visual picture of uplifting the ethos of human rights and strengthening democracy. They have their government in their village while they have accepted state and central government in Mumbai and Delhi. They are so brave and their fighting is going on to dismantle upholders of unlawful activities. They declared fighting against injustice, suppression, and gun power; their proclamation looks like "the answer to the gun will be from bamboo". Forest communities are fighting back against their injustice and torture by taking support from legal advocatory bodies and statutory judiciary institutes. Khambesi, the villagers said, Write what we say (for the official documentation) and give it to your court. Niyamgiri is our hospital; he gives us medicine. We do not have any facilities, only now you are coming saying you will give us hospitals. Niyamgiri is our God. We won't give it to anyone (Jena 2013;14). Panchayat Raj and Human rights in India, Mathew has discussed significant issues about gram sabha and panchayat raj and how these institutions are bearing to Human rights focused under the subtitled 'salient features of local government'. Here he advised to Panchayati raj system on what things have to be done if we want to strengthen democracy. His foremost suggestion is that one-third of seats of the chairmanship to the total number has to be reserved for scheduled castes and scheduled tribes and women. Devolution of power and authority to the gram sabha should not get interfered with by the dominant class so human rights will not be violated. Given rights to gram sabha and its elected members are facing new issues which have a bearing on human rights. He has tried to respond to many questions which could have hindered fair function and the assigned work due to Indian social hierarchical culture. "The important factor which has contributed to the human rights situation vis-a-vis the panchayat system is the nature of Indian society which of course determines the nature of the state" (Mathew 2003;56). So, he urges attention toward hierarchy which is a result of the caste system. Regarding this, he doubts 'How can the process of decentralization through strengthening the democratically elected local bodies tackle the above human rights issues?' In this paper, he attempts to bring up complex social issues while we are dealing with human rights and decentralization of power and authority devolved to panchayat raj.

73rd and 74th Amendment

Panchayat Raj Institutions and Human Rights in India written by George Mathew who extensively provided here the data regarding the 73rd and 74th amendments to the constitution and their advantages and also disadvantages proving by citing epitome incidents taken place in various states while implementing clauses of these provisions. He also explains a dramatic breakthrough in the participation of scheduled castes and scheduled tribes and women in the affair and electoral process of gram sabha and panchayats institutions that happened after the introduction of the 73rd and 74th amendments. It can be understood quite easily if we see these figures: "Women head about 175 district panchayats, more than 2,000 block panchayats and about 85,000-gram panchayats…bodies. As the Indian population has 14.3 percent scheduled castes (SC) and 8 percent scheduled tribes (ST), about 6,60,000 elected members, i.e., 22.5 percent of the total membership in the rural and urban local bodies will be from scheduled castes and tribes. (Mathew 2003;156). Before the birth of these two provisions, India had a federal governing system at two levels; state and union. The power had been restored to the hands of the state and central government and in contrast, neither gram sabha nor panchayat raj could find a place in the constitution nor had any power; simply they have been referred to in the constitution for the reference purpose regarding state directive principles. Over the years, political leaders understood the importance of Panchayati raj institutions if to bring development and strengthen democracy power has to be decentralized.

Today, every five years, about 3.4 million representatives are elected by the people through the democratic process, out of whom one million are women. Women head about 175 district panchayats, more than 2,000 block panchayats, and about 85,000-gram panchayats (Mathew 2003;156). In addition, around 600 town municipalities and 30 city corporations have women chairpersons. Participation of these people is securing, promoting, and protecting human rights in India. In making the gram sabha work, these sabhas should not be seen in isolation. Linkages need to be strengthened with the block, district, state, and central bodies (Nimbria 2001;3117). In a short period, states and the central government passed their acts and conformed to the amended constitutional provisions. This move of both states and union governments transitions two-level federal systems into multi-level federal systems and inevitably, many studies have shown the positive as well as negative consequences of it. But significantly, the positive result is pivotal in the transformation of SC, ST, and forest-located communities' lives since they have been actively participating in the democratic political process. Many people in its communities are becoming presidents and members of gram panchayats, and on the other hand, women too have shown their presence in this process. It has widened and strengthened the democratic foundation of Indian polity. At the same time, Mathew has also mentioned the social normative hindrances and religious and cultural prejudices in the development of decentralization, institutional power moves from top to bottom to have a strong democracy, equal opportunities, and accessibilities to the available resources and initiate the values of human rights in India. Upper castes have raised their anger and questions since lower castes people are participating in election campaigns and receiving high positions in gram panchayats. In Melavalavu, the dominant castes of the area murdered the panchayat president and the vice-president who both belonged to a lower caste, merely because they dared to fight the panchayat elections (Mathew 2003;157). Participating women too were targeted and their voices were diverted by the

dominant class and patriarchal society. The study also shows that they could not be participating due to inconvenient times. Several members have to forgo their day's wages or household duties just to identify beneficiaries…In such meetings, where the agenda is fixed by someone other than those living in the panchayat…party politics (Nimbria 2001;3117). To be present at Gram sabha is meaningless for them; they didn't get anything, have to lose day wages, and there are party politics-dominated people who would not listen to them. After all, the local community is not always homogeneous. All these components get personalized, leading to a division and hence non-participation in the governance pattern (Nimbria 2001;3117).

Forest Right Act (FRA) 2006.

Governance, Resources, and Livelihoods of Adivasis in India: Implementation of PESA and FRA a book has profoundly studied PESA and FRA provisions enacted by parliament in 1996 and 2006 respectively with a cope of hope to improve the livelihood, protect their socio-cultural dimensions and enhancing the economy of forest dwellers and offered rights on the forest to the Scheduled Tribes and Other Traditional Forest dwellers communities. The study also deals with the implementation of PESA and FRA in scheduled areas and their reflective changes among forest dwellers. "FRA provides substantive rights on forest land to forest-dwelling scheduled tribes and other traditional forest dwellers and created an institutional mechanism for recognition of rights and the power to protect, preserve, conserve and manage community forest resources (Shankaran S.R. 2017;01). Bose has called FRA 2006 a landmark legislation passed by the Indian Parliament following an intensely contested drafting process due to the presence of multiple stakeholders with conflicting agendas (Bose 2010; Samarthan Report July 2011 Quoted in Sayantani 2019). Many scholars have seen PESA and FRA as tools for forest dwellers to survive along with their social, and cultural dimensions, economic sources and inheritance rights on forest land. The Act aimed at reversing the "historical injustice" by restoring the rights of land use (individual and community level) among the forest-dwelling Adivasis and other traditional forest-dwelling communities (2019;06, Quoted in Sayantani 2019). The paper entitled Revisiting the Forest Right Act 2019 offers an assessment of the FRA as an amendment to the Constitution 2006 which many state governments have failed in implementing FRA, and the relationships between the traditional forest dwellers and the forest, the changing nature of forest dwellers over time, and gives an analysis of how it has evolved over some time from colonial to post-colonial. It gives the critical narratives of traditional forest dwellers and different wildlife conservative protective organizations who had filed petitions in court against the Ministry of Forest and Environment & Climate Change, 2008. "Subsequently, the Bench led by Justice Arun Mishra stayed its order but stated, of forest dwellers' encroachment on the forest lands. "the mighty and the undeserving, who have encroached on forest lands would be shown no mercy" (2019). This judgment came about eleven years old petitions filed by wildlife conservative advocacy organizations such as Wildlife First, Nature Conservation Society, and Tiger Research Conservation Trust claimed that the "country's forest and wildlife face the continuous threat from 11,91,327 illegal forest dwellers whose claims over the forest land were previously rejected by the State Governments" (2019). It gives measures of the FRA which has emerged as an important tool for Adivasi and other forest dwellers over generations to defend their claim on the forest lands. They derive their substances

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and livelihoods from the forest and other forest resources from the forest over centuries. However, it also shows that FRA is misinterpreted by traders and middlemen in the chain of business development. Moreover, the forest dwellers lack an understanding and significance of land values while they are bargaining with traders. The villagers have been calling meetings which consume much time and energy and at the same time, there is a possibility of diverting the main issue that they face. In 2018, India Spend reported that as many as 26 cases across 11 states show that forest land was acquired by the Government for development projects, including mining and dam construction by flouting the FRA provisions, forging consensus, or ignoring the Adivasis and the OTFDs (India Spend, March 22, 2018). State governments have denied implementing FRS in its fullest form, and many wildlife-protecting organizations have said that offering whole ownership to forest dwellers may cause wildlife and their interdependence. Manipadma Jena in his article 'Voices from Niyamgiri' 2013 has analyzed the legal battle between 12 villages of indigenous Dongria Kondh communities in Rayagada and Kalahandi districts of Odisha and global mining giant Vedanta Aluminium, the Indian arm of London-based Vedanta Resources. This united force of villagers has denied the demand for forest land from Vedanta Aluminium and the Orissa Mining Corporation's plan to extract bauxite from Niyamgiri hills. The historic victory of gram sabha has set a landmark in the matrix of human rights movements. On 19 August, when all of Chhattisgarh had said "no" to the mining project, Lanjigarh Kumuti Majhi, secretary Surekha Samiti said, "the heavy rain is washing down the hill and Niyamgiri has chased away Vedanta"(Jena 2013;15). The Voices from Niyamgiri study shows the importance of unanimous resolution and force with the consent of 12 villagers not to compromise with traders and mining corporations who were trying to pursue their node to form a bauxite mining company. An attempt has been made to evict forest dwellers from their attached forestland but they have failed. It can be seen as the result of human rights activities and recognition of the forest act. The villagers are the residents of suburban areas of Niyamgiri Hills who are confident in having legal rights to claim their forest land that had been offered by the forest right Act 2006 and human rights principles of protection, respect, and remedy. Sikka Kunji, a 50-year-old widow swinging an axe to express her anger and angst and speaking for the community at the Lakhapadar gram sabha said in her native dialect, "We are not the educated but we have the knowledge needed to live wholesome lives and we are not fooling (Jena 2013;15).

PESA Panchayat (Extensions to Scheduled Areas) Act 1996.

"Governance, Resources, and Livelihoods of Adivasis in India: Implementation of PESA and FRA" a book greatly deals with PESA and FRA and their implementation and benefits for forest dwellers. It provides a profound explanation of PESA an enactment regarding forest dwellers whether they are tribes or other traditional forest dwellers who should protect and promote their social, and cultural customs and governing system with their accords. It offers information on PESA how it has to be implemented, what rights it gives to forest dwellers, tells them what duties have to be done by respective state governments without interferon in the affair of forest dwellers, and what certain power and authority endowed to the forest living people, which states come under this PESA act have been extensively elaborated in this book. "PESA the provisions that suited customs/traditions of tribals and recognized their right to protect and manage their resources and livelihoods were extended to these areas in 1996

through an Act of Parliament - the Panchayats (Extension to the Scheduled Areas) Act, 1996 popularly known as PESA" (Sankaran 2017;01). PESA enactment was introduced in 1996 owing to the previous 73rd Amendment act which did not consider Scheduled areas of tribes and forest dwellers, therefore, having a long debate, arguments, and restless movement led by tribal communities across the country. PESA applies to Fifth Schedule Areas comprising 10 States, namely, Andhra Pradesh, Maharashtra, Madhya Pradesh, Gujarat, Rajasthan, Himachal Pradesh, Jharkhand, Chhattisgarh, Odisha and Telangana" (newly formed State in 2014 quoted in Shankaran 2017). Sankaran gives concluding remarks about PESA and its impact on the livelihood of tribes and forest-lived communities as PESA has failed to bring improvement and economic development in the lives of Adivasi communities. FRA and PESA are considered to be paradigm shifts that can impact the tribal communities favorably by ensuring access to resources and rights which facilitate self-governance. However, despite the enactment of the PESA Act nearly two decades ago and FRA a decade ago, these historical legislations have failed to impact the livelihoods of Adivasis (Sankaran 2017;02). This study has followed both primary and secondary data and qualitative as well as quantitative methods to have logical results. Sankaran organized a two-day conference regarding PESA and FRA implementation, opportunities, and challenges to implementing PESA and FRA and in response, he received more suggestions and comments. With this intent, the government of India made amendments to the constitution and passed an act called PESA which introduced several clauses and safeguarding provisions for the development of tribal and forest communities in terms of social, political, educational, and cultural. So, the doctrines of human rights are more flexible in moving on and adopting views and approaches to certain social and ethnic groups to protect their human rights. Modern human rights doctrine cannot plausibly be regarded as seeking to articulate protection of timeless significance; it speaks to what might be described broadly as the conditions of modern life (Beitz, 2009). The present study is significantly looking at issues of human rights about the role played by tribal and forest communities in safeguarding human rights and strengthening democracy by accessing support provided by PESA. The contribution is made by tribal, forest, and remote communities located far away from urban and semi-urban societies. The researchers and intellectuals have not offered much attention to this study area. Therefore, it is foremost important to study the tribal and forest communities' role in safeguarding human rights. Panchayats Extension Scheduled Act 1996 (PESA) is a law enacted by the government of India to cover scheduled areas; it is the backbone of tribal legislation. It recognizes the tribunal's decision-making process and supports its self-governance system. This enactment gives statutory status by conferring absolute power to the Gram sabha and the state government has given an advisory role to ensure the proper functioning of Gram sabha and panchayats. The given power to gram sabha and panchayats cannot be breached by a higher level authority; they have to be independent in their functioning. PESA allowed tribal communities to protect their culture, beliefs, faith and ownership of land that has not to be alienated without their consultation. Bijoy says that 'the simple system of tribal communities governed by their respective customs and traditions…The Gram Sabha was recognized as being competent to act on a range of powers' (Bijoy 2012,15-16). PESA was enacted with the core idea of strengthening democracy at the grassroots level. Nevertheless, some studies stated that it did not implement constitutional mandates and also did not deal properly with important provisions such as prevention of alienation of land, ownership of minor forest production,

exercising control of natural resources, and prohibition of liquor. In contrast, many states have always violated many provisions time and again. In Gujarat, the government denied reservations to tribes just 48 hours before the village council election had to be announced. Many elected tribal community members are not allowed to function by their conscience in a decentralized structure. Elected members belonging to the Tribal are not treated with dignity, and women are faced violence and rape by the dominant caste people and panchayat bureaucracy. Such violations of human rights are an everyday occurrence in the tribal areas of India, despite powerful legislation for decentralized governance (Mathew 2003;159). This is the negative result of PESA after its enactment in 1996. Indian society is a caste-based society so the dominant people are not cooperating with elected tribal community members rather than they are torturing them.

Extremism, Local Self-Governance and Human Rights

PESA Left-Wing Extremism and Governance: Concerns and Challenges in India's Districts (2010) which is written in collaboration with Prof. Dandekar and Chaudhary attempted to provide a critical analysis; the landmark amendment to the constitution was named PESA in 1996 which regulated nearly nine various states of India where most tribals and non-tribals communities are dwelling in the forest. This act has recognized the social, cultural, and traditional values, a way of their life of tribal communities to be governed by themselves. It has given them political power and recognition. "Its passage—an act of great political commitment—attempted to shift the balance of power towards the communities by providing a mechanism for self-protection and self-governance (Dandekar 2010)". Keeping these views in mind, this paper has studied how these mentioned communities have been struggling since the enactment of PESA, and FRA in self-governance while they are asserting the claim upon their illegally alienated land by entrepreneurs under the name of development, natural economic resources, and internal affairs of their village. Quoted in this paper, "Fulsingh Naik, resident of Mandibisi (Rayagada, West Orissa), December 2009, recounting a conversation he had from inside a prison cell with a policeman, who had jailed him for leading community protests against a country liquor shop in their village. "Is government meant for the people or the powerful?"

This gives a short reference to governance "relationship with the phenomenon of left-wing extremism, i.e. the currently banned Communist Party of India - Maoist (However, there is a range of left-wing Naxal groups operating on the ground in PESA areas) (Dandekar 2010). And rest of the analysis in the paper is regarding PESA and its implementation looking at the ground reality. Most issues are alienated land restoration, mining resources, and hampered FRA and PESA rights by some state governments by executing no PESA ordinance and influential industrialists. The paper has substantially employed primary qualitative research methods citing fieldwork visiting reports and accessing various authentic reports from government and highly recognized non-governmental agencies. The fieldwork has taken place in the various states of Madhya Pradesh, Gujarat, Chhattisgarh, Jharkhand, and Andhra Pradesh where a large number of the tribal communities' dwell. Furthermore, a study conducted by an Expert Group to Planning Commission, Government of India (2008), entitled, *"Development Challenges in Extremist Affected Areas",* observed that PESA/FRA *Gram Panchyats* evolved a new kind of

organic relationship between the "Village", "Villagers" and the Gram Panchayats. This new kind of organic relationship helps to strengthen *Gram Panchayats* to provide the necessary conditions for instilling the promotion of human rights ethics among the villagers. However, the study also suggests exploring the alternative ways of PESA/FRA-empowered *Gram Panchayats* in the context of the promotion of human rights at the grassroots level.

Plan of Action to Prevent Violent Extremism (Online) under the title of Agenda for Action Recommendations on Preventing Violent Extremism has given the possible directions and suggestions to hamper and prevent extremely violent activities across the world in order to save human beings and its principles that have been enshrined in the universal declaration of human rights by united nations. "Both the General Assembly and the Security Council have acknowledged that violent extremism has reached a level of threat and sophistication that requires concerted action beyond law enforcement, military or security measures to address development, good governance, human rights and humanitarian concerns (Online)". Forcing to withdraw discriminatory laws and attempting to replace these laws by placing anti-discriminating legislation and policies toward enhancing human rights as well as human lives across the world, thus provides a strong foundation. Looking forward to the development of tolerance, and coexistence among different cosmopolitan and international communities and showing more concern to stabilize peace in the world while strongly denouncing violent extremism.

The Local Governance of COVID-19

(Dutta & Fischer 2021) studied the critical role played by local self-governance bodies during the most challenging period that terrorized the entire world when human beings were seriously concerned with health issues therefore, they were disconnecting from social relationships, cultural bonding and human relationships. It was so challenging to be open to serving during such a life-threatening disease. Indeed, it had made the case for explaining the critical role of local governance in organizing the COVID-19 pandemic response by analysing how government health and authoritative agencies had attempted to feel up the lacuna between the emergency need for immediate response to the covid 19 and self-local ground realities in these three Indian states which are Odisha, Kerala and Rajasthan. It has shown how the local governments assumed central responsibilities and played a pivotal role in executing the suggestions and social security mechanisms made by the states, central government and the world health organization to control the spreading Covid-19 disease which was spreading so fast fire in the forest and world went under the terror of it. Therefore, the local self-government agencies have played a significant role in restraining the Covid-19 pandemic.

Anwesha Duttaa and Harry Fischerb(2021) "*The local governance of COVID-19: Disease prevention and social security in rural India,*" examine the role of elected village governments in coordinating state response in Rajasthan, Odisha, and Kerala, India. The study found that, evidence from Kerala in particular suggests that the state's long term investment in democratic local government and arrangements for incorporating women within grassroots state functions (through its *Kudumbashree* program) has built a high degree of public trust and cooperation with state actors, while local authorities embrace an ethic of care in the implementation of state responses. Finally the study suggest that there is a necessity to have an in-depth study from

policy point of view in order to suggest relevant alternative policies with especial reference to promotion and protection of human rights during pandemic for future course of action.

Role of NHRC in Cases of Human Rights Violation

Human Rights Defender: Protecting Right to Defend Human Rights 2004 deals with many things and activities of human rights regarding its violation, implementation, coordinating with statutory governmental bodies while it is necessary, informing concerned departments to produce justice to the victims and disseminate the gathered information related to human rights abuse among people and guiding human rights upholders how to tackle human rights violations and dispense justice to victims. "To be a human rights defender, a person can act to address any human right (or rights) on behalf of individuals or groups. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realisation of economic, social and cultural rights ' (2004;03). Human rights itself is an umbrella term encompassing all concerns related to human beings; it addresses a wide variety of human concern issues such as torture, forced evictions, discrimination, suppression of minority groups, child labour, illegal arrest and detentions, women genital mutilation, education, issue of liberty, unemployment, health care and toxic sprawled waste and its impact on the environment. These all concerns are related to human beings and the human rights movement itself stands for the protection and promotion of human rights and is undertaken to address these issues at the national and international level to find solutions and victims should get justice. The human rights movement works at different levels local to global such as regional, national, and international levels. The Punjab Mass Cremations Case: India Burning the Rule of Law provides a detailed account of this incident, and impunity for perpetrators who have killed many people in Punjab. "From 1984 to 1994, Punjab security forces engaged in counter-insurgency operations that included widespread and systematic human rights abuses such as torture, disappearances, and extrajudicial executions, which claimed an estimated 10,000 to 25,000 lives (Online). The perpetrators were not prosecuted in court and when a case was filed against these killers, the supreme court referred this matter to CBI and later to NHRC which failed to disperse justice to victims' relatives. "Unfortunately, over the past ten years, the NHRC ignored the violations of the fundamental rights that had occurred throughout Punjab and shielded perpetrators from accountability (Online). The violation of human rights had been proved in 1995 by human rights defender Jaswant Singh Khalra who exposed a government cremation record that reveals over 6000 mass cremations in one of the thirteen districts in Punjab. Afterward, he threatened his life and was later abducted by Punjab police and secretly on 6 September 1995 he was detained in jail and tortured for around two months and finally was murdered in late October 1995. To decrease an intensive fire and ice cold among relatives of deceased people, the supreme court referred this matter to NHRC and asked to recommend compensation that the government shall pay to the deceased relatives. "We request the Commission through its Chairman to have the matter examined in accordance with law and determine all the issues which are raised before the Commission by the learned counsel for the parties…any compensation awarded by the Commission shall be binding and payable." (NHRC recommends Rs. 27,94,00,000/- to the families of victims of Punjab Mass Cremation Case | National Human Rights Commission India)". The National Human Rights Commission of India has uploaded a document that says that NHRC has recommended a total amount of 27,

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94,000,00/ as monetary relief to the close relatives' of 1513 dead bodies which could be identified out of unidentified 2097 bodies. This is a contradictory account of NHRC's role in human rights violation cases in India. This chapter provides a short study of participatory local governance in democracy and the role played by tribal and traditional forest dwellers communities in safeguarding, protecting and promoting human rights in India. PESA and FRA the constitutional provisions introduced 1996 and 2006 respectively have played a significant role in bringing radical transformation among forest dwellers communities, notably that could be seen through their participation in politics and decision-making, social awareness, right to deny traders' demand for land acquisition without their consent and their consent is essential to have a portion of land for industrial development in forest area, community has right to follow their local governance system and handle local affairs, they have to decide what things have to be run and what no to be such as money lending matter and permit to have intoxicate things in their localities. Since the increased participation of forest inhabitants in the panchayati raj system, gram sabha and they have been permitted to have local governance system, social and cultural customs signified the promotion and protection of human rights.

Chapter-3

Gram Panchayats' Participatory Local Governance in Safeguarding Human Rights of Forest and Tribal Communities (FTCs): An Analysis of Primary Data

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Introduction:

This chapter aims to analyze the focal objectives of the present research based on the primary data. While justifying the significance of the proposed study it further raises the significant substance that how the grassroots local-self-governance institutions under varied threats and structural challenges, emerge as a creative political force, providing alternative models of local governance and suggesting that there are alternative ways of meeting human needs and rights without destroying the local socio-ecological environment under the democratic constitutional framework of local-self-governance. The scope of the research area is limited to the select Gram Panchayats in the Gadchiroli, Chandrapur, and Gondia districts of Maharashtra state and select Gram Panchayats in Rajnandangaon and Kanker districts of Chhattisgarh state located in the remote forest and extremist affected areas, particularly. The analysis is characterized into six specific sections grounded on study objectives as reflected in the interview schedule.

Section- I
Socioeconomic background of the respondents

Maharashtra, located in western India, is the third largest state in terms of the region and is the second most populous state in India. It has a rich history and diverse culture and is known for its vibrant cities such as Mumbai, Pune, and Nagpur. Maharashtra is also home to various natural landscapes, including tribal forest districts affected by extremist elements. The chaos in East Maharashtra is the Naxalist Rebellion. The Naxalist movement, also known as the Maoist Rebellion, is a constant struggle between the government and the extremist groups of leftist ideology seeking social and political change. The dense forests and hilly areas of the fort have created a nutritious atmosphere for the actions of these extremist elements. Also, the existence of Naxalist groups has been experienced in Chandrapur, another tribal forest district in East Maharashtra that has also experienced Naxalite activities. In the vicinity of dense forests and mineral-rich parts, the district has been made vulnerable to the influence of extremist acts. Gondia, located in northeastern Maharashtra, has also faced challenges related to Naxalism. In the neighbouring states of Chhattisgarh and Madhya Pradesh, the district is bordered by the regions affected by Naxalist actions. It is important to note that the government has tried to solve the problem of extremism and drive development in these areas. Development programmes, infrastructure projects and initiatives focused on improving socio-economic conditions have been implemented to counter the influence of militant elements and bring stability to these tribal forest districts. Chhattisgarh is a state located in central India. It was carved out of Madhya Pradesh in the year 2000 and became the 26th state of India. Chhattisgarh

is known for its abundant mineral resources, diverse tribal culture, and green forests. Rajnandgaon: Rajnandgaon is a district in North Chhattisgarh. It shares its borders with Madhya Pradesh and Maharashtra. The district is predominantly rural and has a significant tribal population. Rajnandgaon has seen the presence of militant groups, mainly influenced by the Naxalite insurgency. The dense forests and hilly terrains of the district have provided a favourable environment for the activities of these groups. Kankar: Kankar is a district located in South Chhattisgarh.

It is known for its naturalness, dense forests, and tribal communities. The district has also faced the challenges posed by extremist elements related to the Naxalist movement. The mountainous region of Kanker and the wild parts are sensitive to the influence of these groups. The presence of extremist elements in these districts has created security concerns and developmental challenges. Naxalist insurgency in these areas has led to sparse incidents of violence and has affected overall stability and progress. The government has made efforts to address these issues by taking initiatives aimed at strengthening security measures, development programs, and tribal development. The aim is to bring peace, stability, and socio-economic development to these tribal forest districts by ensuring the welfare of the local population.

The present study focuses on two states that are highly susceptible to extremist elements, human rights violations, and movements led by tribal and forest-dwelling groups. These groups are advocating their rights and interests through democratic and non-violent means. A significant aspect of their efforts has been the active participation and contribution of grassroots local self-governing institutions, particularly gram panchayats and gram sabhas. The initial part of the report aims to provide a basic profile of the respondents of the study.

Table 1: Distribution of respondents age, gender, occupation, religion, and social category **N:1120**

Sr.no	Variables	Maharashtra	Chhattisgarh
1	**Age**		
	18-30	26.80%	24.10%
	31-60	69.50%	70.50%
	61 above	3.70%	0.90%
	Not Answer	0.0%	4.50%
	Total	100%	100%
2	**Gender**		
	Male	54.24%	57.14%
	Female	45.76%	42.86%
	Total	100%	100%
3	**Occupation**		
	Agriculture	68.14%	55.36%
	Farm labour	28.81%	30.36%
	Small Business	0.34%	0.0%
	Govt Employee	0.0%	1.79%
	Other	1.69%	3.57%
	Not Answer	1.02%	8.92%
	Total	100%	100%

4	**Religion**		
	Hindu	**84.4%**	**95.5%**
	Muslim	**0.0%**	**0.9%**
	Sikh	**0.0%**	**0.0%**
	Christian	**0.3%**	**0.0%**
	Buddhist	**7.8%**	**3.6%**
	Other	**6.8%**	**0.0%**
	Not Answer	**0.7%**	**0.0%**
	Total	**100%**	**100%**
5	**Social category**		
	General	**0.34%**	**2.7%**
	SC	**7.46%**	**8.0%**
	ST	**74.24%**	**76.8%**
	VJNT	**8.14%**	**1.8%**
	OBC	**9.83%**	**8.0%**
	Any Other	**0.00%**	**0.0%**
	Not Answer	**0.00%**	**2.7%**
	Total	**100%**	**100%**

Source: Primary data

Age: In both Maharashtra and Chhattisgarh countries, most respondents fall into the range of 31-60 years of age, including 69.50% and 70.50% respondents, respectively. This suggests that the study mainly involves individuals from middle-aged sections of the population. (18-30 years) Maharashtra has 26.80% and 24.10% in Chhattisgarh. The representation of respondents between the ages of 61 and above is relatively low in both states. It is important to note that a small percentage of people did not provide their age. Both states have a significant representation of middle-aged respondents, leading tribal and forest-resident groups, showing the active participation of individuals in this age group in movements and conflicts.

Gender: In both Maharashtra and Chhattisgarh, the survey found that men's participation was slightly higher than women. In Maharashtra, the proportion of men is 54.24 %, while the proportion of women is 45.76 %. Similarly, in Chhattisgarh, 57.14% of respondents are men and 42.86% are women. Gender distribution in both states is relatively balanced, the representation of men is a little higher. Occupation: Regarding occupation, the majority of respondents in both Maharashtra and Chhattisgarh states are involved in agriculture. In Maharashtra, 68.14% of respondents are involved in agriculture, followed by 28.81% of agricultural labourers. In Chhattisgarh, 55.36% are involved in agriculture, and 30.36% act as farm labourers. This represents a significant dependence on agriculture as a primary business in both states. Other businesses, such as small businesses, government employees, and others, have relatively little representation. The dominance of agriculture as a primary business in both states represents the strong presence of the peasant communities and their participation in movements and conflicts. This suggests land-related problems and the relationship between tribal and forest-living groups. Religion: The religious structure of the respondents shows that the majority of people in both Maharashtra and Chhattisgarh are known as Hindus. In Maharashtra, Hindus have 84.4% of respondents, followed by Buddhists (7.8%) and Christians (0.3%). In Chhattisgarh, the majority of Hindus (95.5%), followed by Christians (3.6%). It is special that both of these states have a minimum representation of the Muslim and Sikh

populations. Social category: In terms of social categories, the study represents a high proportion of respondents in Scheduled Tribes (ST) in both Maharashtra and Chhattisgarh. In Maharashtra, 74.24% of respondents are from the ST category, while in the thirty-sixth it is 76.8. Other important categories include other backward classes (OBC) and general. The representation of the Scheduled Castes (SC) is relatively low. This shows the strong presence of tribal communities in the study sample, highlighting their participation in the issues examined. The high representation of ST respondents in both states focuses on tribal and forest-living communities in the study. This suggests that the movements and conflicts under consideration are primarily led with the aim of resolving the concerns of these neglected communities. Overall, the data reveals some patterns and trends, such as the dominance of the middle-aged population, a little higher participation of men, reliance on agriculture as the primary business, the majority Hindu religious affiliation, and significant representation of the Scheduled Tribes. These findings focus on the demographic structure and study objectives of the respondents and their relevance to tribal and forest living communities.

Table 2: Distribution of respondents as per education and marital status **(N.1120)**

Sr.no	Variables	Maharashtra	Chhattisgarh
1	**Education Status**		
	Up to Primary (≤5)	**25.63%**	**42.58%**
	Up to Middle School (≤7)	**17.97%**	**24.29%**
	Secondary SSC(≤10)	**18.31%**	**2.68%**
	HSC (≤12)	**19.76%**	**3.55%**
	Graduate & Above	**8.17%**	**5.36%**
	Illiterate	**10.16%**	**21.54%**
	Total	**100**	**100**
2	**Marital status**		
	Married	**84.00%**	**82.1%**
	Re-Married	**2.8%**	**3.6%**
	Widowed	**1.4%**	**5.4%**
	Separated	**0.3%**	**0.0%**
	Divorced	**0.0%**	**2.7%**
	Single	**10.8%**	**6.2%**
	Not Answer	**0.7%**	**0.0%**
	Total	**100%**	**100%**

Source: Primary data

Table No. 2 provides the education and marital status of respondents. In Maharashtra, the highest proportion of respondents has completed their education up to HSC (Higher Secondary Certificate) or 12th grade (19.76%), followed by secondary SSC (10th grade) (18.31%). A significant number of respondents have education up to primary (≤5) (25.63%) and up to middle school (≤7) (17.97%). A smaller percentage of respondents are graduates and above

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(8.17%), and a notable proportion is illiterate (10.16%). In Chhattisgarh, the pattern is slightly different, with the highest proportion of respondents having education up to primary (≤5) (42.58%), followed by up to middle school (≤7) (24.29%). A small percentage of respondents have education up to secondary SSC (10th grade) (2.68%) and HSC (12th grade) (3.55%). A significant proportion of respondents are illiterate (21.54%), and a smaller percentage are graduates and above (5.36%). The data instructs less general level of education among respondents in both states. The high percentage of respondents educated up to primary and middle school represents limited access to higher education in these tribal and forest-resident communities. This can affect their ability to effectively participate in social and political movements.

Marital status:

Based on the available data, in Maharashtra, the majority of respondents are married (84.00%), followed by single (10.8%). Smaller percentages fall into categories such as re-married (2.8%), widowed (1.4%), separated (0.3%), and divorced (0.0%). A small percentage did not provide their marital status (0.7%). In Chhattisgarh, a similar trend is observed, with the highest proportion of respondents being married (82.1%), followed by single (6.2%). A significant percentage are widowed (5.4%), and smaller percentages fall into categories such as re-married (3.6%). No respondents in this sample did not provide their marital status. The data suggests that the majority of respondents in both states are married, indicating the significance of the institution of marriage in these communities. The presence of a relatively higher proportion of widowed respondents may reflect socio-economic challenges faced by these communities, including vulnerability to loss and the need for social support systems. Additionally, the presence of re-married individuals suggests that there may be some freedom, protection, and promotion of human rights among tribal and forest-dwelling communities.

Table 3: Status of villages covered under FRA and PESA

Sr.no	State and Villages	Villages covered Under PESA		Villages covered Under FRA	
		YES	NO	YES	NO
A	**Maharashtra**				
1	**Gadchiroli**				
1.1	Mendha-Lekha	√		√	
1.2	Shankarpur	√		√	
2.	**Chandrapur**				
2.1	Saigata	√		√	
2.2	Pachgaon	√		√	
3	**Gondia**				
3.1	*Palasgaon*			√	
3.2	*Dhiwrintola*	√		√	
B	**Chhattisgarh**				
1.	**Rajnandangaon**				
1.1	Khairi	√		√	
1.2	Pangri			√	

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2	**Kanker**				
2.1	Mandabharri	√		√	
2.2	Rawas			√	

Source: Primary data

Table No. 3 provides the status of the presence of socio-politically important laws such as PESA and FRA. Maharashtra: Gadchiroli: The village of Mentha-Lekha is covered under both PESA and FRA, indicating that they enjoy the benefits and protections provided by both laws. The village of Shankarpur is also covered under both PESA and FRA, which shows the same overlap in coverage. Chandrapur: Saigata Village is covered under both PESA and FRA, which indicates the recognition and self-governing provisions of their rights. The village of Pachavagaon is also covered under both PESA and FRA laws, both consistent with the objectives of the law. Gondia: The village of Palsagaon does not come under PESA but falls under the FRA. This suggests that even if it does not have specific self-governance provisions of PESA, it benefits the rights recognized under FRA.

The village of Dhivarintola is covered under both PESA and FRA, which demonstrates the recognition of its rights and self-governance provisions. The correlation between PESA and FRA in selected villages in Maharashtra represents the convergence of both laws to identify and protect the rights of tribal and forest communities. It highlights efforts to promote local self-government, ensure community participation, and secure forest resources for the welfare of these communities.

Dhiwrintola village is covered under both PESA and FRA, indicating the recognition of its rights and self-governance provisions. The interlinkage between PESA and FRA in the selected villages of Maharashtra indicates a convergence of the two acts in recognizing and protecting the rights of tribal and forest-dwelling communities. It highlights the efforts to promote local self-governance, ensure community participation, and secure the rights over forest resources for the welfare of these communities. In the Chhattisgarh state district Rajnandgaon: two villages were selected; Khairi village is covered under both PESA and FRA, suggesting that it enjoys the benefits and protections provided by both acts. Pangri village is not covered under PESA but is covered under FRA, indicating the recognition of its rights under FRA. Kanker: Mandabharri village is covered under both PESA and FRA, implying the recognition of its rights and self-governance provisions. Ravas Village is not covered under PESA but is covered under FRA, indicating the recognition of its rights under FRA. The correlation between PESA and FRA in selected villages of Chhattisgarh shows the alignment of both actions to identify and protect the rights of tribal and forest communities. Coverage under this Act demonstrates the commitment of these communities to empowerment, promotion of self-government, and securing their rights to forest resources.

Thus, the table shows the relationship between the implementation of PESA and FRA in selected villages. The purpose of these laws is to identify and protect local communities, especially tribal and forest communities, their rights to forest resources, promote self-government, and ensure their participation in the decision-making process. The inclusion of villages under both PESA and FRA is a symbol of commitment to protect these rights and to ensure the well-being of these communities in Maharashtra and Chhattisgarh.

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Section-II
The emergence of the new consummate role of Gram Panchayats and Gram Sabhas as frontline grassroots institutions in forging a holistic participatory local governance model for safeguarding inherent human rights of Forest and Tribal Communities

The awareness of villagers about the Gram Panchayat and Gram Sabha at the grassroots level varies depending on several factors such as the region, literacy levels, social and economic status, and the effectiveness of local governance. However, in general, most villagers at the grassroots level are aware of the existence of Gram Panchayat and Gram Sabha as these are the most basic and primary grassroots institutions in the villages. In most villages, people are aware of the existence of these institutions and their functions, but the level of participation and engagement vary.

Table 1: Awareness of villagers about Gram Panchayat and Gram Sabha(**N-1120)**

Sr.no	State and Villages	Did you know about Gram Panchayat?		Did you know about Gram Sabha?	
		YES	**NO**	**YES**	**NO**
1	**Maharashtra**	100%	00.00	100%	00.00
2	**Chhattisgarh**	100%	00.00	93.3%	2.7%

Source: Primary data

Some villagers may actively participate in the Gram Sabha meetings and raise their concerns, while others may not be as engaged. However, there is still room for improvement in terms of increasing participation and ensuring that these institutions are truly representative of the needs and interests of the local community.

Fig:2:Response of Know about GP & GS
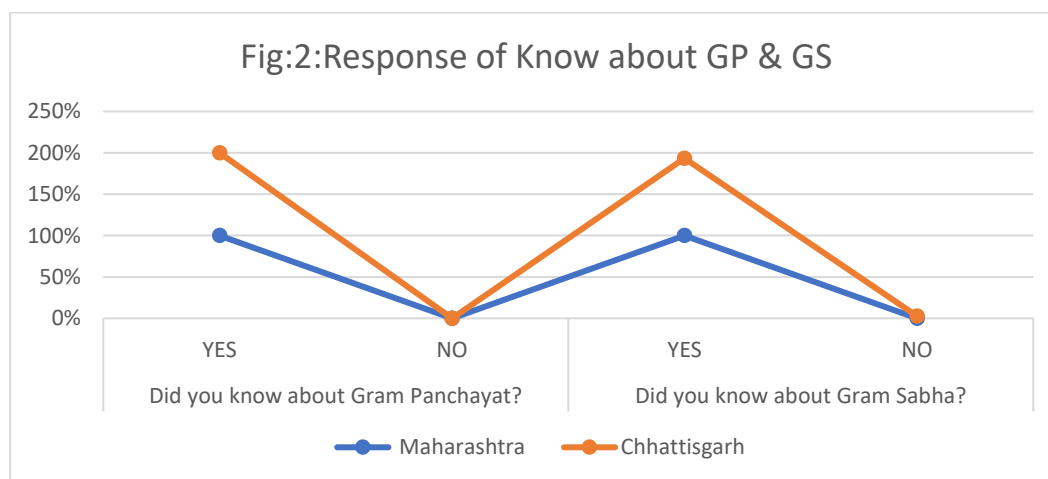
Source: Primary data

The present study is carried out in select districts of the states of Maharashtra and Chhattisgarh. Table no 1 and Figure no 1 show that 100 % of respondents from Maharashtra and 93.3% of respondents from the state of Chhattisgarh were found to be aware of the grassroots institutions namely Gram Panchayat and Gram Sabha. The field observations indicate that the causal relationship behind such a high level of awareness among the respondents is due to the deep

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level of association, participation, and utility of these grassroots-level local institutions in the lives of rural and tribal masses in the select study area. However, even though Gram Sabha is such a very important grassroots institution, it is a matter of great concern that 6.7% of respondents from Chhattisgarh still do not know about Gram Sabha. One of the possible reasons is either alienation or dependency of people on Gram Sabha, However, due to the strong grassroots-level movements, leadership, and struggles made by common people for their local governance rights in the state of Maharashtra the level of awareness is quite high. In selected Gram Panchayat of Maharashtra state, when the respondents were asked about the awareness of Gram Panchayat and Gram Sabha, 100% respondents said that they are aware of Gram Panchayat and Gram Sabha. In contrast the data shows that the awareness of Gram Panchayat in Chhattisgarh among the village's people is 100% but the worrying thing is that only 93.3% people are aware about the Gram Sabha. Even though Gram Sabha is such a very important grassroots institution, it is a matter of great concern that 6.7% people of the village still do not know about the Gram Sabha.

Table 2: Awareness of villagers about the term human right **(N:1120)**

Sr,no	Frequency	States	
		Maharashtra	**Chhattisgarh**
1	Never	38.3%	15.2%
2	Frequently	29.2%	28.6%
3	Occasionally	32.5%	56.2%
4	**Total**	**100**	**100**

Source: Primary data

The awareness of villagers about the term human rights at the grassroots level can vary depending on several factors such as the region, literacy levels, social and economic status, and access to information. Human rights refer to the basic rights and freedoms that are entitled to all individuals regardless of their nationality, race, religion, or gender. These rights include the right to life, liberty, equality, and dignity, etc.

Fig 2: Awareness about the term human right
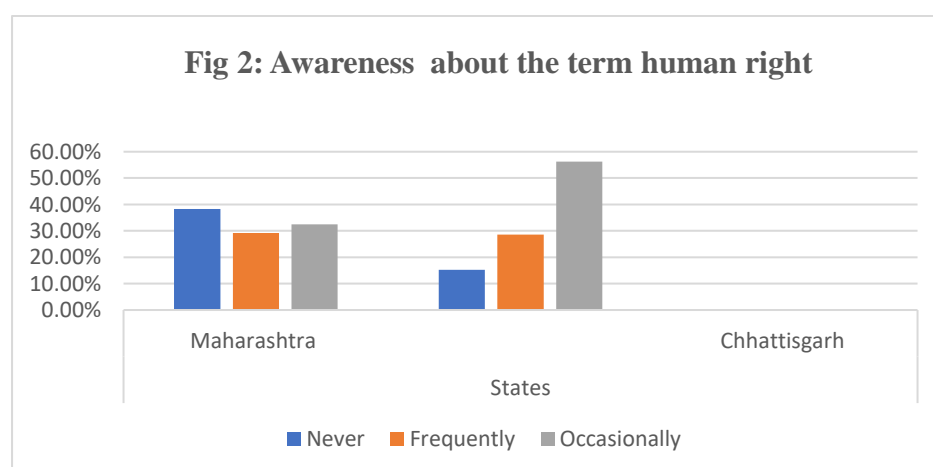
Source: Primary data

Human rights are very fundamental in the context of human existence and equality can be achieved only when every citizen should enjoy them. When the respondents in Maharashtra

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were asked about their awareness of human rights, 38.3% of respondents said they were not aware of human rights, 32.5% of respondents said they heard about human rights sometimes/occasionally while 29.2% of respondents said they heard about human rights always/frequently. When the same question was asked to the respondents in Chhattisgarh state, 56.2% of respondents said they heard about the human rights sometimes/occasionally, 28.6% respondents said they heard the human rights word frequently and 15.2% respondents said they never heard the word human rights.

Table no 2 and Figure no 2 provide mixed responses, regarding whether they heard the term human rights in the three select categories such as never, frequently, and occasionally, this is perhaps due to the lack of awareness about the term or the use of the word/concept of human rights in practice. However, field insights suggest that although they are less aware of the term human right nevertheless in practice and in their day-to-day life villagers are conscious of their human rights.

In India, the constitution guarantees several fundamental rights to all citizens, including the right to equality, freedom of speech and expression, freedom of religion and the right to education. However, the level of awareness and understanding of human rights can still vary among villagers at the grassroots level and there is a need for continued efforts to promote awareness and ensure that people's rights are protected and respected.

Table 3: What is your primary reference institution which makes you aware of the basic Human rights issues at the local level?
(Higher 1 to lower >7 preference)   **N-1120**

Sr,no	Institutions	States			
		Maharashtra		**Chhattisgarh**	
		Percentage	**Rank**	**Percentage**	**Rank**
1	Gram Panchayat	41.00%	**I**	44.60%	**I**
2	Gram Sabha	33.90%	**II**	28.60%	**II**
3	Traditional councils	1.40%	**VII**	18.90%	**III**
4	Media	13.00%	**III**	4.50%	**IV**
5	Tribal department	1.68%	**VI**	1.80%	**V**
6	NGOs	7.60%	**IV**	0.90%	**VI**
7	Educational Institutions	1.70%	**V**	0.89%	**VII**
8	**Total**	**100%**		**100%**	

Source: Primary data

When the respondents were asked about the institutions which make them aware and feel closer to their human rights and problems in the select district of Maharashtra and Chhattisgarh State. Around 41.00% of the respondents from Maharashtra and 44.60% of the respondents from Chhattisgarh have chosen Gram Panchayat as most primary reference institution which makes them aware about the basic human rights issues at local level. Similarly, both the state respondents gave second preference to Gram Sabha for the awareness these institutions make regarding human rights of tribal and forest communities. From the above data researchers got the most striking fact is that even today in Chhattisgarh state, 18.90% people still depended on the traditional councils for the awareness about the human rights and issues. In contrast only 1.40% people are depended on traditional councils for their human rights awareness in

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Maharashtra. The better awareness of human rights and its issues in the Maharashtra state of select districts could be attributed to the movements that arose in the grassroots areas due to introduction of PESA and Forest Rights Act. And the possible reason for the dependence of grassroots people on traditional councils in selected district of Chhattisgarh it may be the informal functions with collective trust and social and cultural accountability these institutions have towards tribal and forest dwelling communities.

Table 4: What do you think of the following institutions are the most primary grassroots institutions for protecting and promoting HR of FTC?   **N-1120**

(Higher 1 to lower >7 preference)

Sr.no	Institutions	States			
		Maharashtra		Chhattisgarh	
		Percentage	Rank	Percentage	Rank
1	Judiciary	3.70%	VI	3.60%	V
2	Police	4.10%	IV	0.90%	VII
3	Traditional Councils	1.00%	VII	32.10%	I
4	Gram Panchayat	44.10%	I	27.70%	II
	Gram Sabha	36.90%	II	25.00%	III
5	Forest Department	8.20%	III	1.80%	VI
6	Tribal Department	2.70%	VI	8.90%	IV
7	**Total**	**100%**		**100%**	

Source: Primary data

Table number 4 shows that the Gram Panchayat is the most primary grassroots institutions in Maharashtra selected district and traditional councils in Chhattisgarh for protecting and promoting human rights of forest tribal communities at grassroots level. Approximately 44.10% respondent gave preference to Gram Panchayat in Maharashtra. In contrast in the Chhattisgarh 32.10% respondent said Traditional councils. In selected district of Maharashtra, reason could be the more awareness of the grassroots villagers due to the social movements which started in context of PESA and Forest Rights Act in grassroots area. Another reason can be attributed by the legacy of social reformer and the efforts made by the government for the upliftment and empowerment of tribal and other forest dwelling communities.

Less performance of the Gram Panchayat and Gram Sabha compare to traditional councils in protecting and promoting of human rights of tribal and forest dwelling communities in Chhattisgarh could be late implementation of PESA and Forest Rights Act and lack of Grassroots social movement. Also, in the field observation found that hostile environment due to extremist action, tense and lack of open and fair atmosphere creates an atmosphere of fear among the grassroots people as well as office bearers of Gram Panchayat and Gram Sabha thus ultimately hinders the process for promotion and protection of human rights of tribal and forest communities at grassroots level.

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Table 5: What according to you are the factors to be considered as prime human rights issues that should be promoted and protected by your Gram Panchayat and Gram Sabha? **N-1120**

Sr.no	Factors to be considered as prime human rights issues	States			
		Maharashtra		Chhattisgarh	
		Percentage	Rank	Percentage	Rank
1	Right to livelihood and employment	63.70%	I	48.20%	I
2	Right to freedom and equal opportunity to participate in GS governance	4.10%	IV	21.40%	II
3	Right to develop capacity and awareness about primary needs	8.80%	III	8.90%	III
4	Right to food and health and education	15.90%	II	8.00%	IV
5	Right to access to forest and its resources	2.00%	VI	6.20%	V
6	Right to protect human dignity and empowerment	1.70%	VII	3.60%	VI
7	Right to legal support	3.73%	V	2.71%	VII
8	**Total**	**100%**		**100%**	

Source: Primary data

Table no 5 data show that the grassroots people of the select district of Maharashtra and Chhattisgarh consider the right to livelihood and employment (63.70 %) as the most prime human rights that should be promoted and protected by the lowest democratic institution which are working for the empowerment of grassroots people. Other uppermost factors to be considered are the right to food, health and education the and right to freedom and equal opportunity to participate in Gram Sabha governance. The above data indicates that the problem of livelihood and employment of the grassroots people in the study area has not yet been solved therefore the respondents said that these human rights should be taken into consideration first. Researcher found in the field observation that due to their geographical remote location and limited access to education and skills training, many tribal and forest dwelling community members face barriers to get formal employment opportunities. Likewise, the other factors are also taken into consideration while analysing the role of Gram Sabha/Gram Panchayat in protecting human rights. It is important to note that the rankings may vary based on the specific context and experiences of the respondents. The priorities identified in this table reflect the perspectives of the respondents in Maharashtra and Chhattisgarh regarding the prime human rights issues that should be promoted and protected by their GP-GS.

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Table 6: Did you experience any NEW changes in the role of the functioning of Gram Panchayat (G.P) and Gram Sabha(G.S) as compared to past?   **N-1120**

Sr.no	Frequency of Change	States			
		Maharashtra		Chhattisgarh	
		G. P	G.S	G. P	G. S
1	Changes at highest level	7.5%	37.3%	8.9%	23.5%
2	Changes at Moderate level	70.8%	58.3%	70.5%	58.0%
3	Changes at lower level	20.7%	3.7%	12.5%	6.2%
4	No Changes in the ongoing role	0.3%	0.3%	8.0%	12.5%
5	No answer	0.7%	0.3%	0.0%	0.0%
	Total	**100%**	**100%**	**100%**	**100%**

Source: Primary data

From Table 6 inferences can be made that there has been a moderate level of changes in the working role of Gram Panchayat and Gram Sabha in both the state of select district. A possible reason for that may be, in recent times due to PESA and Forest Rights Act Gram Panchayat and Gram Sabha have been empowered by vast powers due to this Gram Panchayat and Gram Sabha playing positive roles in the life of grassroots people. Gram Panchayat and Gram Sabha are protecting customary rights of land of tribal and forest dwelling communities through PESA and Forest Rights Act, participatory forest management where local communities are involved in the decision-making process related to forest management, encouragement to collect meaningful subjects having thrust on local development and human rights issues such as PESA, FRA, mining, forest rights and gender equality etc. Because of this new role, the respondents may have experienced a moderate level of changes in the role of Gram Panchayat and Gram Sabha's.

Table 6, indicating a moderate level of changes in the working roles of GP and GS in the selected districts of Maharashtra and Chhattisgarh. One possible reason for these changes is the empowerment of GP and GS through acts such as the Panchayats (Extension to Scheduled Areas) Act (PESA) and the Forest Rights Act (FRA). These legislations have granted extensive powers to GP and GS, enabling them to play positive roles in the lives of grassroots people. Under PESA and FRA, GP and GS are actively involved in protecting the customary land rights of tribal and forest-dwelling communities. They also participate in the decision-making process related to forest management through initiatives like participatory forest management. Moreover, GP and GS encourage discussions on crucial subjects such as local development, human rights issues (including PESA, FRA, mining, forest rights, and gender equality), and other relevant topics. The expanded responsibilities and new roles taken on by GP and GS may have contributed to the reported moderate level of changes experienced by the respondents. These changes reflect the evolving dynamics in the functioning of GP and GS, driven by their increased authority and engagement in protecting the rights and interests of the local communities.

Fig 3: Is Gram sabha the lowest decision-making functionary
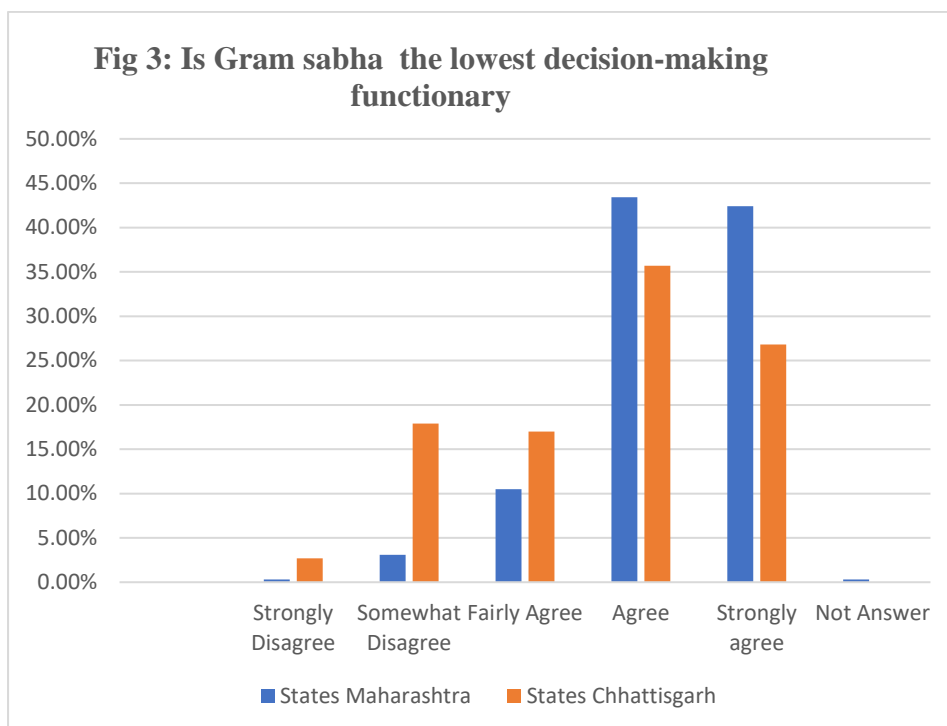
Source: Primary data

Table 7: Did you agree that Gram Sabha is the lowest decision-making functionary of grassroots democracy? **N-1120**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	0.3%	2.7%
2	Somewhat Disagree	3.1%	17.9%
3	Fairly Agree	10.5%	17.0%
4	Agree	43.4%	35.7%
5	Strongly agree	42.4%	26.8%
6	Not Answer	0.3%	0%
	Total	**100%**	**100%**

Source: Primary data

The above data show that the Gram Sabha is the lowest decision-making functionary of grassroots democracy. About 43.4% of the respondents in the select districts of Maharashtra agree while 42.4% answered strongly agree. Besides 35.7% of the respondents in the select district of Chhattisgarh agree and 26.8% answered strongly agree (See Fig 3 and Table 7).

The field observation of the researcher about giving importance to the Gram Sabha by tribal and forest-dwelling communities found that because of its inclusiveness and more sustainable and socially and culturally appropriate approach to development. Gram Sabha's work in select study areas regarding human rights at the local level such as livelihood and employment, gender equality, and human rights-oriented participatory local village governance has created sympathy among the tribal and forest-dwelling communities at the grassroots level towards Gram Sabha.

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Table 8: Did you agree that most of the new changes in the role of the functioning related to the promotion and protection of human rights have primarily been taken by Gram Sabha? **(N1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	0.3%	0.9%
2	Somewhat Disagree	3.4%	24.1%
3	Fairly Agree	10.9%	10.7%
4	Agree	62.2%	49.1%
5	Strongly agree	22.8%	14.3%
6	Not Answer	0.68%	0.9%
	Total	**100%**	**100%**

Source: Primary data

Table no. 8 and Figure no 4 shows that respondents in both states have agreed positively to the new changes in the role of the functioning of the Gram Sabha related to the activities of promotion and protection of human rights. After the field study, it was observed that there has been a difference in the functioning of Gram Sabha, especially after the implementation of the PESA and Forest Rights Act.

Fig 4: New changes taken by GP/GS
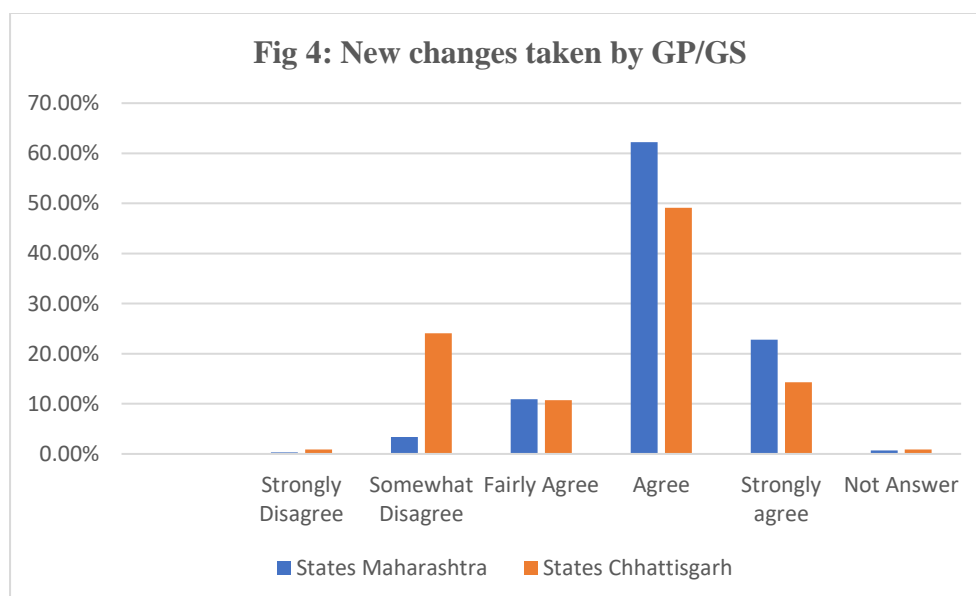
Source: Primary data

After the implementation of the PESA and Forest Rights Act, the selected Gram Panchayats and Gram Sabha's for this study started multiple activities in their respective area for the promotion and protection of human rights of tribal and other traditional forest dwelling communities. Researchers found these multiple activities in the Pachagaon Gram Sabha in Chandrapur district. Pachagaon Gram Sabha are carrying multiple activities for the villagers for their livelihood which includes; awareness camps related to livelihood and employment, on demand job cards under MGNEREGA, alternative seasonal employment opportunities like Tendu, Mahua, Bamboo plantation etc, assisted to claims for community forest rights and

individual forest rights, new decisions for creation of alternative livelihood sources from Gram Panchayat fund. All these positive works of Gram Sabha's changing the lives of grassroots people. Due to these Pachagao Gram Sabha's people are taking an active part in the functioning of Gram Sabha.

Table 9: Do you observe any of the above new roles in actual implementation by the Gram Panchayat and Gram Sabha related to protecting and promoting your human rights at local level? **(N:1120)**

Sr.no	New roles	Frequency	States	
			Maharashtra	**Chhattisgarh**
1	Livelihood and Employment	Strongly Disagree	1.0%	19.6%
		Somewhat Disagree	4.4%	6.2%
		Fairly Agree	7.1%	9.8%
		Agree	47.1%	26.8%
		Strongly agree	39.7%	37.5%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**
2	Gender Equality	Strongly Disagree	0.7%	19.6%
		Somewhat Disagree	3.7%	23.2%
		Fairly Agree	16.3%	21.4%
		Agree	50.5%	32.1%
		Strongly agree	28.1%	3.6%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**
3	Expert Consultation and Training	Strongly Disagree	20.7%	15.2%
		Somewhat Disagree	28.1%	25.0%
		Fairly Agree	14.2%	16.1%
		Agree	11.2%	26.8%
		Strongly agree	25.1%	17.0%
		Not Answer	0.7%	**0.0%**
		Total:	**100%**	**100%**
4	Marketing and Linkages of Minor Forest Produces	Strongly Disagree	16.3%	17.9%
		Somewhat Disagree	28.8%	25.0%
		Fairly Agree	19.7%	20.5%
		Agree	6.8%	17.9%
		Strongly agree	27.1%	18.8%
		Not Answer	1.4%	0.0%
		Total:	**100%**	**100%**
5	Human Right-Centric Participatory Local Governance	Strongly Disagree	20.8%	16.1%
		Somewhat Disagree	13.7%	29.5%
		Fairly Agree	28.0%	17.9%
		Agree	9.75%	29.5%
		Strongly agree	25.6%	7.1%
		Not Answer	2.60%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

At the local level, respondents were asked in the selected area of both the state about the new role that Gram Panchayat's and Gram Sabha's are playing in relation to human rights. Respondents from both the states expressed their views like agree, somewhat agree and strongly agree about the new role shown in the table. That shows Gram Panchayat and Gram Sabha are working for the empowerment of common people at the local level in select study area. A significant percentage of respondents strongly agree that the Gram Panchayat and Gram Sabha have implemented new roles related to livelihood and employment. In Maharashtra, 47.1% agree, while in Chhattisgarh, 26.8% agree. The majority of respondents in both states' express agreement, indicating the positive impact of these new roles (See table 9).

When the researcher made a field visit to Pachagaon, Mendha lekha and Shankarpur Gram Sabha for the study, the researcher noticed a great deal of equality between men and women in the entire Gram Sabha. Women actively participate in every decision-making process in this Gram Sabha and voice their opinion which concerns them most. The field study reveals that the people of Pachagaon village have not migrated anywhere in search of work due to the work done by Pachagaon Gram Sabha in terms of Livelihood and employment. The citizens of Pachagaon, Mendha lekha came together and laid the foundation for the overall development of the village is historic and its example should be followed by all the villages across the country.

New Roles: Livelihood and Employment

Table 10: Did you observe that your GP-GS has made new planning to explore alternative livelihood avenues at the village level?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	1.0%	4.5%
2	Somewhat Disagree	9.5%	19.6%
3	Fairly Agree	14.2%	10.7%
4	Agree	48.1%	46.4%
5	Strongly agree	27.1%	18.8%
6	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

When the respondents were asked whether their Gram Panchayat and Gram Sabha's have made efforts to find new alternative livelihood and employment avenues at the village level then 48.1% of respondents and 46.4% respondents agreed in select study area of Maharashtra and Chhattisgarh state respectively. Researcher's observation in the field of selected study area found that, Gram Panchayat and Gram Sabha's are guaranteeing every citizen of villages to get employment through employment guarantee scheme like MGNAREGA. Efforts have been made by this Gram Panchayat and Gram Sabha's to solve the livelihood problems of the common people by providing free grazing, wood, timber, firewood, gravel, mud, sand, soil and other minor minerals for their domestic use. Along with these Gram Panchayat's and Gram

Sabha's seem to have taken care to keep money in the hands of the people by increasing the daily wages for collecting minor forest produce in their respective area(see table 10).

Table 11: Whether you agree or disagree that you helped to get livelihood and employment opportunities due to the new efforts taken by your GP and GS?

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	0.3%	1.8%
2	Somewhat Disagree	7.5%	14.4%
3	Fairly Agree	23.7%	25.2%
4	Agree	39.0%	41.96%
5	Strongly agree	29.5%	16.07%
6	Not Answer	0.0%	0.89%
	Total	**100%**	**100%**

Source: Primary data

Table no. 11 shows, when the respondents were asked whether the new initiative taken by your Gram Panchayat and Gram Sabha has helped in providing livelihood and employment opportunities, 39.0% respondents in Maharashtra and 41.96% respondents in Chhattisgarh agreed to the above question. Also 29.5% respondents from Maharashtra and 16.07% from Chhattisgarh state selected case studies strongly agreed to this question. From the positive responses shown by the respondents from selected case studies we can infer that the new efforts taken by the Gram Panchayat and Gram Sabha is providing new livelihood and employment opportunities to the people at the village level.

In the field study conducted by the researcher for this study purpose, researcher have found that the selected Gram Panchayat and Gram Sabha's are helping the villager's to selling and marketing their minor forest produces in the market. As a result, the need for middlemen was reduced and the people in the villages got adjusted to the direct market system, so they are getting more money than before. Due to the efforts of the Gram Sabha, the labourer's collecting various forest produce like Mahua flower, Tendu patta, bamboo was given an increase wages. Additional work was provided through the employment guarantee scheme which helped to increase the income of the people in the villages.

Table 12: Whether your GP and GS took any new initiatives toward protecting your Traditional land rights for livelihood?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	2.4%	5.4%
2	Somewhat Disagree	5.4%	18.8%
3	Fairly Agree	16.9%	13.4%
4	Agree	42.4%	40.2%
5	Strongly agree	32.9%	22.3%
6	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Table no. 12 shows that 42.4% of the respondents in Maharashtra selected study area agree with the efforts made by the Gram Panchayat and Gram Sabha to acquire traditional land rights for livelihood while 40.2% of the respondents agreed in selected study area from Chhattisgarh. Besides 32.9% and 22.3% of the respondents strongly agreed from the selected district of Maharashtra and Chhattisgarh respectively.

Researcher found in the field observation in selected case studies of Gram Panchayat and Gram Sabha that, these Gram Panchayat and Gram Sabha's are doing pioneering work for the empowerment of the grassroots people at their village. These works include community based forest governance, asserting their traditional land rights to secure their livelihoods. Under the community forest rights they are managing and protecting their forest, collecting non-timber forest produce for extra income doing so they are undertaking traditional forest-based livelihoods. These Gram Panchayat and Gram Sabha are helping to file claims for community forest rights and individual forest rights at grassroots level at nearby villages.

Table 13: Specify what are the multiple activities that your GP/GS have taken to protect and promote livelihood and employment? **(N:1120)**

Sr.no	New roles		States	
			Maharashtra	**Chhattisgarh**
1	Awareness Camp related to livelihood	Strongly Disagree	1.0%	19.6%
		Somewhat Disagree	4.4%	6.2%
		Fairly Agree	7.1%	9.8%
		Agree	47.1%	26.8%
		Strongly agree	39.7%	37.5%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**
2	On-demand job card under MGNEREGA	Strongly Disagree	0.7%	19.6%
		Somewhat Disagree	3.7%	23.2%
		Fairly Agree	16.3%	21.4%
		Agree	50.5%	32.1%
		Strongly agree	28.1%	3.6%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**
3	Legal Counselling	Strongly Disagree	20.7%	15.2%
		Somewhat Disagree	28.1%	25.0%
		Fairly Agree	14.2%	16.1%
		Agree	11.2%	26.8%
		Strongly agree	25.1%	17.0%
		Not Answer	0.7%	**0.0%**
		Total:	**100%**	**100%**
4	Alternative Seasonal Employment Opportunity	Strongly Disagree	16.3%	17.9%
		Somewhat Disagree	28.8%	25.0%
		Fairly Agree	19.7%	20.5%
		Agree	6.8%	17.9%
		Strongly agree	27.1%	18.8%
		Not Answer	1.4%	0.0%
		Total:	**100%**	**100%**

| 5	Assisted Claims for CFR and IFR	Strongly Disagree	20.8%	16.1%
		Somewhat Disagree	13.7%	29.5%
		Fairly Agree	28.0%	17.9%
		Agree	9.75%	29.5%
		Strongly agree	25.6%	7.1%
		Not Answer	2.60%	0.0%
		Total:	**100%**	**100%**
6	Developed New Market Linkages for MFPs	Strongly Disagree	3.1%	23.2%
		Somewhat Disagree	8.5%	39.3%
		Fairly Agree	20.0%	3.6%
		Agree	27.1%	26.8%
		Strongly agree	41.0%	7.1%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
7	New Policies towards funding by Central and State Government	Strongly Disagree	3.7%	34.8%
		Somewhat Disagree	9.2%	27.7%
		Fairly Agree	49.2%	10.7%
		Agree	15.9%	26.8%
		Strongly agree	22.0%	0.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
8	New decisions for the creation of alternative livelihood sources from gram panchayat fund	Strongly Disagree	0.0%	12.5%
		Somewhat Disagree	39.7%	23.2%
		Fairly Agree	34.9%	14.3%
		Agree	22.7%	34.8%
		Strongly agree	2.7%	15.2%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

Table No. 13 shows the respondents have given positive answers. The answer of the respondents in both the states is mixed and fall into the groups of agree, fairly agree and strongly agree. When the researchers visited Mendha Lekha and Pachagao Gram Sabha, the villagers said that they got more than 50 days of work in a year through the Mahatma Gandhi National Rural Employment Guarantee Act. Besides through Bamboo cutting and plantation employment is provided for about 100 days in a year. From the farming season, employment guarantee scheme work, bamboo cutting, and plantation work etc people get more than 200 days of employment in the village throughout the year.

Therefore, the citizens of the Mendha Lekha and Pachagaon villages are not seen migrating to other places in search of work. Today we see in our country almost every village is suffering from drought, deprivation, lack of employment problems etc. But the Gram Panchayat and Gram Sabha selected for this study purpose have come together collectively and laid the foundation for sustainable development at village level and setting a role model for other villages.

Table 14: Whether the collectors of Minor Forest produce MFP get additional per day wages as compared to earlier due to the efforts of Gram Sabha?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	2.0%	8.0%
2	Somewhat Disagree	1.7%	25.0%
3	Fairly Agree	31.6%	18.8%
4	Agree	16.0%	28.6%
5	Strongly agree	48.6%	19.6%
6	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Fig 5: Whether collectors of MFPs get additional income due to efforts of Gram sabha
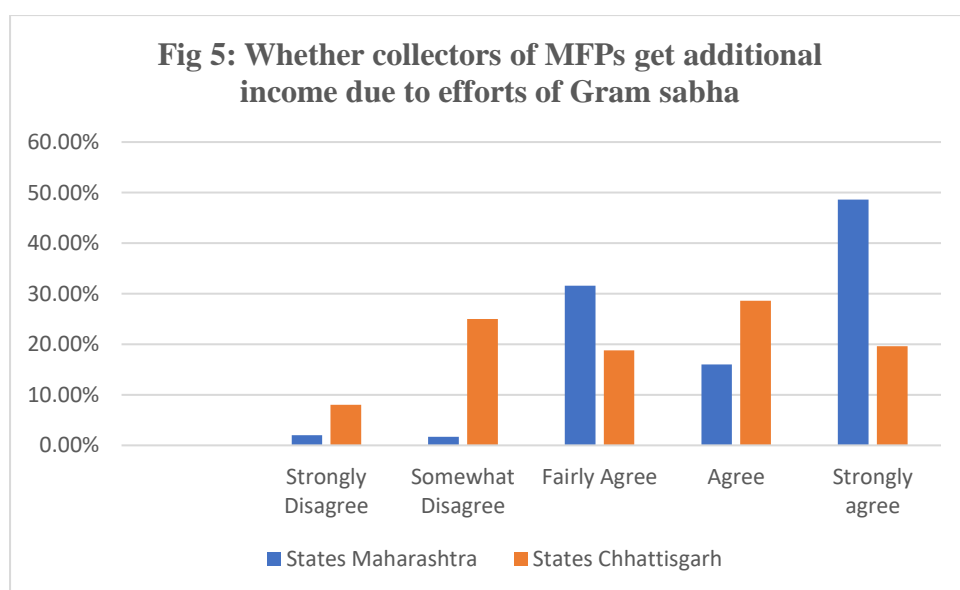
Source: Primary data

In Maharashtra, a significant portion, 31.6%, fairly agrees that the collectors of MFP receive additional per day wages due to the efforts of the Gram Sabha. In Chhattisgarh, a slightly lower percentage, 18.8%, shares this opinion. The data in the above table show that due to the efforts of the Gram Sabha, there has been an increase in the wages of collectors of various minor forest produces (See table 14 and Fig 5).

The following observations were made during the field study:

The price of Bamboo has increased from Rs 50 to Rs 65 per unit.

The price of Mahua has increased from Rs 20 to Rs 40 per kg.

The price of a bottle of honey has increased from Rs 250 to Rs 450.

There has been a significant increase in the prices of Tendu leaves, this additional qualitative data supports the trend observed in the table, indicating that the efforts of the Gram Sabha have resulted in an increase in the wages and prices of various minor forest produces.

Table 15: Did you observe any new role adopted by your GS to take experts consultation and provide training for villagers on issues related to human rights and overall village development? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Frequently Observed	17.6%	24.1%
2	Occasionally observed	46.4%	55.4%
3	Not at all Observed	35.6%	18.8%
4	Not Answer	0.3%	1.8%
	Total	**100%**	**100%**

Source: Primary data

Observing the above table no 15, the respondents gave answers to this question in the category of frequently observed and occasionally observed. In the Gram Panchayat and Gram Sabha's selected for the study, it is seen that the following expert's consultation and training are organized for the villagers for village development and human rights awareness. That includes 1) Management of purchase and sales of forest produce, computer training, legal advice on land and related issues, gender equality programme, training for filing claims for Forest Rights Act and PESA, awareness about PESA and Forest Rights Act, forest produces and their management and sales training etc. In Maharashtra, 17.6% of the respondents frequently observed the GS adopting a new role of taking expert consultations and providing training for villagers on human rights and village development. In Chhattisgarh, a slightly higher percentage, 24.1%, frequently observed the GS in this new role.

Table 16: What are the areas wherein expert's consultation is being taken and training programs were conducted by GS? **(N:1120)**

Sr.no	Areas of expert's consultation	Frequency	States	
			Maharashtra	**Chhattisgarh**
1	Buying and Selling management of Forest Minor Products, Computer handling	Strongly Disagree	0.7%	33.0%
		Somewhat Disagree	2.7%	17.0%
		Fairly Agree	57.3%	23.2%
		Agree	14.6%	13.4%
		Strongly agree	24.7%	13.4%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Legal consultation on issues related to land and related issues	Strongly Disagree	1.4%	2.7%
		Somewhat Disagree	13.2%	17.0%
		Fairly Agree	62.7%	27.7%
		Agree	5.1%	34.8%
		Strongly agree	17.6%	17.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
3	Gender equality	Strongly Disagree	.3%	13.4%
		Somewhat Disagree	2.0%	25.9%
		Fairly Agree	18.7%	21.4%

Sr.no		Response	Maharashtra	Chhattisgarh
		Agree	55.8%	33.9%
		Strongly agree	22.8%	5.4%
		Not Answer	0.68%	0.0%
		Total:	**100%**	**100%**
4	Issues related to filing claims for FRA/PESA	Strongly Disagree	4.1%	25.0%
		Somewhat Disagree	8.8%	8.9%
		Fairly Agree	38.0%	15.2%
		Agree	25.8%	17.9%
		Strongly agree	23.4%	33.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
5	Health and hygiene	Strongly Disagree	0.0%	12.5%
		Somewhat Disagree	18.6%	12.5%
		Fairly Agree	9.5%	31.2%
		Agree	51.9%	30.4%
		Strongly agree	19.7%	13.4%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
6	MFPs Production and its management	Strongly Disagree	1.4%	16.1%
		Somewhat Disagree	19.7%	11.6%
		Fairly Agree	30.5%	13.4%
		Agree	28.8%	42.9%
		Strongly agree	19.7%	16.1%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

From the data in the above table no 16, we can see that when the respondents were asked the above questions, they gave their answers falling into the groups of agree, fairly agree and strongly agree. Consequently, from the information provided by the respondents we can infer that the Gram Panchayat's and Gram Sabha's selected for this study are successfully conducting training programs on buying and selling management of forest minor products, computer handling programs, legal consultation on issues related to land and related issues, gender equality programs, issues related to filing claims for FRA/PESA, health and hygiene awareness program, minor forest produce production and its management etc.

Table 17: What is your personal feeling about the new role of GS regarding taking experts 'consultation and providing training really having a positive impact in protecting your human rights and village development? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Very positive	20.3%	40.2%
2	Somewhat Positive	59.7%	31.2%
3	Neutral	17.6%	7.1%
4	Somewhat Negative	2.4%	16.1%
5	Very Negative	0.0%	5.4%
6	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

The above data shows the responses between very positive and somewhat positive of the respondent regarding the new role of Gram Sabha of select district of Maharashtra and Chhattisgarh with taking experts consultation and providing training about a positive impact in protecting human rights and village development. While talking about human rights and holistic sustainable development we must include the talk about the issues like gender, health and hygiene which is central and critical for tribal and forest dwelling communities. In the selected district of Maharashtra and Chhattisgarh state tribal and forest dwelling communities have to face unique challenges like extremism, police suppression, limited access to education, healthcare system, and basic fundamental rights problems like lack of basic infrastructure, electricity, sanitation etc. Due to all these inaccessibility of basic fundamental rights, tribal and forest community's life are in at risk and limits their ability to lead a dignified life.

Gender-

Researcher's observation in the field found that gender discrimination in tribal communities compare to other Indian caste is low though women have limited access to education, healthcare, employment, sanitation etc compare to men in tribal community. In remote area of Gadchiroli district which is affected by extremist activity where women face the additional challenges of inadequate infrastructure and limited access to basic facilities such as water, sanitation and healthcare.

Health-

Tribal and forest dwelling communities of Gadchiroli District of Maharashtra and Rajnandgao and Kanker district of Chhattisgarh state face several health challenges due to their isolation, lack of access to healthcare facilities, inadequate infrastructure, cultural and social barriers etc. Due to remote area and extremist activities government and their office bearers has not reach in the remote part of Gadchiroli district therefore tribal and forest dwelling communities have limited access to basic facilities such as clean water, sanitation and nutrition which puts their health at risk. Researcher found and observe while growing up in tribal communities in one of remote and extremist part of Gadchiroli district in Maharashtra that major concern for tribal and forest dwelling communities is a lack of awareness about preventive measures and early detection of diseases further compounds their health issues. Malnutrition, anaemia, infectious diseases such as malaria, tuberculosis are prevalent in tribal communities in remote part. To address these issues the government and non governmental organization can work together to improve the infrastructure and it is essential to provide access to basic healthcare facilities and promote awareness about preventive measures and early detection of diseases. Beside this if we use mobile health clinics, telemedicine facilities and community health workers to reach out these remote areas positive outcomes can be seen.

Hygiene-

Hygiene is another critical issue for tribal and forest communities those who are living in remotest part of selected district of Maharashtra and Chhattisgarh state. Researcher observed in field studies, poor sanitation facilities and limited access to clean water lead to the spread of waterborne disease and other infections. To address this issue at grassroots level in tribal dominated area in remote and extremist part, community led sanitation programs can be

initiated to promote the construction of toilets and water management system. Besides awareness campaigns about hygiene practices such as hand washing and safe drinking water can also be organized.

Other facts-

Indie journal- India Reports say's in Feb 07, 2021 report, for pregnant women in Gadchiroli's remote part, reaching hospitals for birth is an ordeal in itself. Report mention's for any medical emergency most villager's in Bhamaragad block of Gadchiroli district of Maharashtra have to travel a distance more than 20 km on foot to reach the nearest primary health centre at Laheri or Bhamaragad hospital. Pregnant women has to face many problems especially during pregnant time, they have to walk around more than 20 km on foot for any emergencies like pregnancy pains, delivery or routine gynaecology check-up. Report of the expert committee on tribal health entitled "Tribal Health in India- Bridging the Gap and a Roadmap for the Future" published by Ministry of Health and Family Welfare Government of India and Ministry of Tribal Affairs Government of India together says that, tribal people suffer from a 'triple burden of disease'. Studies found that health care system in tribal areas are deficient in number, quality and resources besides health care system is inappropriate to tribal culture and their social system. Malnutrition, child mortality and diseases like malaria are high amongst tribal communities compare to other communities in India. Other extract data from this report-

1) **Life Expectancy**- the published data in Lancet report in 2016 says, life expectancy at birth for tribal communities in India is 63.9 years as against 67 years for general population.

2) **Maternal Health**- Report says no recent estimates data of maternal mortality among tribal women are available. What can be more distressing to the tribal community than that? Even after crossing seventy five years of independence, the government of India still has no data. Report says, early marriages, early child birth, low BMI (Body mass Index) and high incidence of anaemia are the main reasons for high maternal mortality.

3) **Child Mortality-** Report says indirect estimate based on census 2011, IMR data of the year 2008 showed that, tribal communities Infant Mortality Rate was 74 as against the 62 for rest of the population.

NEW ROLES: Minor Forest produces

Table 18: Did you observe any new role adopted by your GS with regard to harvest and Trade MFPs as compared to earlier? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Frequently observed	19.7%	33.9%
2	Occasionally Observed	72.9%	43.8%
3	Not at all observed	7.5%	22.3%
4	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

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By observing this table, we can perceive that around 19.7% and 33.9% of the respondents from Maharashtra and Chhattisgarh selected study area respectively frequently observed the new role adopted by their Gram Sabha with regard to harvesting and trade of minor forest produce as compared to earlier. Besides 72.9% and 43.8% of the respondents from the Maharashtra and Chhattisgarh selected study area answered occasionally observed which is more positive and significant in context of livelihood rights of tribal and forest dwelling communities at grassroots level. Field study showed that the special license to trade of Bamboo and Tendu under the forest Rights Act, which has been given to the Gram Sabha which are covered under schedule 5 has significantly benefited to increasing its income by harvesting and trading bamboo as an minor forest produce. Many reports found that Mendha Lekha village in Gadchiroli district of Maharashtra done exceptional work in this regard by taking control of minor forest produce under Gram Sabha's power which is the key decision-making institution for self-governance and management of surrounding forest at grassroots level.

Table 19: Please explain what are the important initiatives that your GS has taken to protect your traditional rights on MFPs? **(N:1120)**

Sr.no	New roles		States	
			Maharashtra	Chhattisgarh
1	Important initiatives for Right on MFPs Licence to harvest and trade MFPs	Strongly Disagree	0.0%	17.9%
		Somewhat Disagree	42.7%	20.5%
		Fairly Agree	16.9%	17.9%
		Agree	10.5%	22.3%
		Strongly agree	29.8%	21.4%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Established New Market Linkage to trade MFPs	Strongly Disagree	27.1%	21.4%
		Somewhat Disagree	31.2%	24.1%
		Fairly Agree	12.5%	14.3%
		Agree	10.8%	32.1%
		Strongly agree	18.0%	8.0%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
3	Right to Issue Transit pass book to harvest and transport MFPs	Strongly Disagree	1.4%	25.0%
		Somewhat Disagree	11.9%	16.1%
		Fairly Agree	58.8%	23.2%
		Agree	10.9%	28.6%
		Strongly agree	17.0%	7.1%
		Not Answer	0.30%	0.0%
		Total:	**100%**	**100%**
4	Right to call Independent Tendering process for MFPs	Strongly Disagree	4.1%	41.1%
		Somewhat Disagree	24.7%	25.9%
		Fairly Agree	23.1%	6.2%
		Agree	28.5%	19.6%
		Strongly agree	19.7%	6.2%
		Not Answer	0.0%	0.9%

		Total:	**100%**	**100%**
5	Legally convinced forest dept to perform GS independently	Strongly Disagree	27.6%	19.6%
		Somewhat Disagree	2.4%	20.5%
		Fairly Agree	32.3%	27.7%
		Agree	15.0%	27.7%
		Strongly agree	22.8%	4.5%
		Not Answer	0.30%	0.0%
		Total:	**100%**	**100%**
6	Capacity Building and Training were conducted on MFPs	Strongly Disagree	15.6%	17.9%
		Somewhat Disagree	10.8%	25.9%
		Fairly Agree	27.8%	22.3%
		Agree	11.9%	25.0%
		Strongly agree	33.9%	8.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
7	Increase to daily wages to collect MFPs	Strongly Disagree	0.3%	24.1%
		Somewhat Disagree	21.4%	34.8%
		Fairly Agree	14.2%	11.6%
		Agree	44.7%	14.3%
		Strongly agree	19.3%	15.2%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
8	Equal Opportunity to men and women to harvesting and wages for MFPs	Strongly Disagree	.3%	36.6%
		Somewhat Disagree	3.1%	22.3%
		Fairly Agree	9.8%	10.7%
		Agree	64.1%	12.5%
		Strongly agree	22.7%	17.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
9	Organised Federation that guaranteed competitive prices and bonus for the communities for their produce collection	Strongly Disagree	0.0%	29.5%
		Somewhat Disagree	23.7%	44.6%
		Fairly Agree	35.3%	13.4%
		Agree	16.6%	8.0%
		Strongly agree	23.7%	2.7%
		Not Answer	0.7%	1.8%
		Total:	**100%**	**100%**

Source: Primary data

Table no 19 explains what are the important initiatives GS has taken to protect the traditional rights of MFPs. There are nine important initiatives recorded by the respondents in which the highest percentage of respondents agree that Important initiatives for the Right on MFPs Licence to harvest and trade MFPs; Organised Federation that guaranteed competitive prices and bonuses for the communities for their produce collection; Equal Opportunity to men and women to harvesting and wages for MFPs; Legally convinced forest dept to perform GS independently are the few significant initiatives that the Gram sabhaa have initiated constructively. It is important to note that the study areas in both the states having maximum

forest cover and therefore initiatives like this play an important role in the lives of forest and tribal communities.

Table 20: Did you find any considerable difference in the prices of MFPs before and at present?

N:1120

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Yes	92%	89%
2	No	08%	11%
	Total	100%	100%

Source: Primary data

It is appropriate to note that a huge majority of respondents opined that they observed considerable differences in the prices of MFPs before and at present. It has also been noted that the efforts taken by the garm sabahs played crucial role in improving the economic status of the forest and tribal communities. Gram sabhas organized strategic planning such as removed middleman interfere, started open tender process and applied effective marketing strategies. The garm sabhas have been constantly working on how to improve the minimum support price to minor forest produces(MFPs) by using multiple locally relevant strategies.

Table 21: What is your personal feeling about the new role of GS regarding protecting your traditional rights on MFP really have a positive impact on promoting your traditional rights on MFPs and right to earn income from MFPs? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Very positive	19.7%	25.9%
2	Somewhat Positive	70.5%	38.4%
3	Neutral	8.5%	8.9%
4	Somewhat Negative	1.0%	19.6%
5	Very Negative	0.0%	5.4%
6	Not Answer	0.3%	1.8%
	Total	100%	100%

Source: Primary data

Table no 21 explores personal feelings of respondents about the new role of GS regarding protecting their traditional rights on MFP which has really a positive impact on promoting their traditional rights on MFPs and right to earn income from MFPs. It is evident that the majority of the respondents from both states are somewhat positive (70.5%) in Maharashtra and (38.4%) in Chhattisgarh about the role of Gram sabha in their new roles.

Thus, community empowerment of the new role of the villagers in protecting the traditional rights of forest-resident communities on MFPs and protecting their right to earn income from MFPs, livelihoods, there has been a positive impact on resource conservation and cultural protection. This strengthens community participation and ensures sustainable management of forest resources, which benefits the community and large ecosystems.

71

NEW Roles: Human rights Centric Holistic Participatory Local Governance

This sub-section aims to explore the role of GP-GS with regard to participatory local governance in the context of **PANTHER** a human rights-based approach developed by UN Food and Agriculture Organization (FAO) in 2006.

P- participation; A- accountability; N- non-discrimination; T-transparency; H-human dignity; E- empowerment; R- rule of law.

Human rights-centric holistic participatory local governance refers to a governance approach that places human rights at the center of decision-making processes and emphasizes the holistic well-being of individuals and communities. It involves active participation and engagement of all stakeholders, including local communities, in the governance and decision-making processes at the local level.

P- participation;

Fig 6: Do you attend and participate in Gram sabha
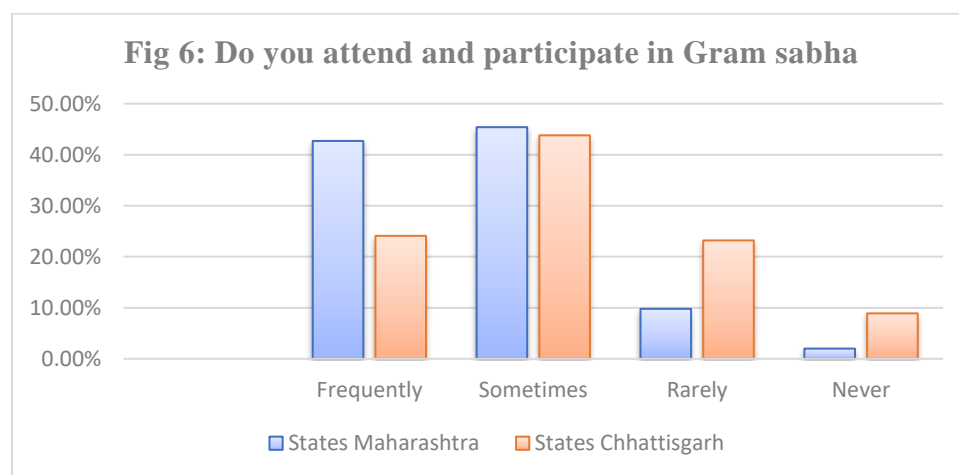
Source: Primary data

Figure no 6 provides the field insight into the participation of respondents in the Gram sabha. It is important to note that overall the level of attendance in the gram sabha is relatively higher in both the states, particularly the respondents from the State of Maharashtra attend Gram sabha with higher percentage (42.7% frequently and 45.4% sometimes) as compared to Chhattisgarh (24.1 % frequently and 43.8% sometimes). Some of the important factors are Maharashtra had a deep history of local governance along with strong civil society presence in the particular regions. However, field insights also indicate that being a bordering districts study villages in the Chhaatisgarh also improving a lot in terms of participation in the Gram sabhas due to the implementation of FRA and PESA.

Likewise, figure no 7 presents the responses of respondents from Maharashtra and Chhattisgarh regarding their fear or lack of concern when it comes to participating in Gram Sabha meetings. The responses were categorized into three options: Yes, No, and Not Answered. The percentages represent the proportion of respondents in each state who chose each response option. It is pertinent to note that the highest percentage of respondents from both states opined that they do not have a fear to participate in the meetings of Gram sabhas 94.6% from

Maharashtra and 92.0% from Chhattisgarh. Despite the presence of extremist elements villagers expressed a positive impression and desire to participate in local governance structures.

Fig 7: Did you fear/be unconcerned to participate in Gram sabha
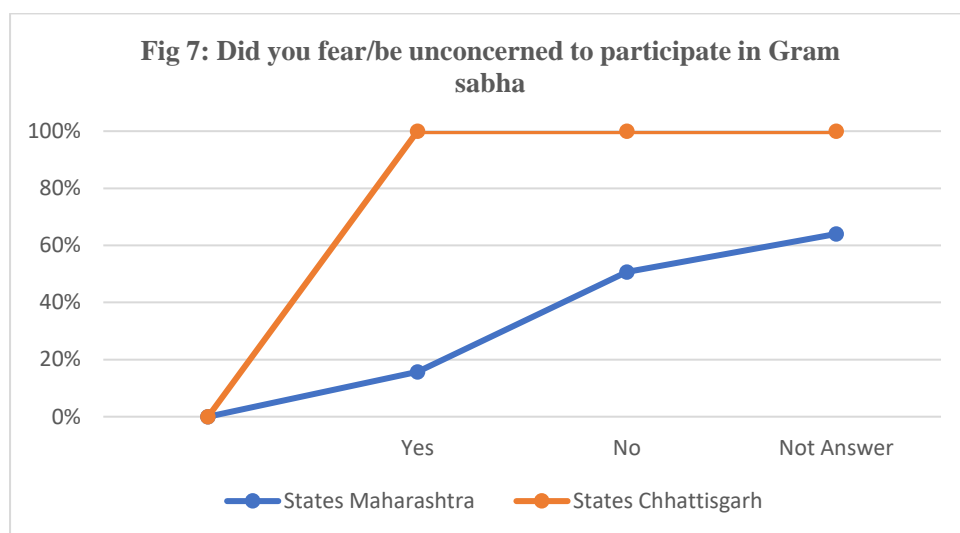
Source: Primary data

Table 22: Did you believe that you have a favourable environment and right to active, free, and meaningful participation in Gram Sabha for all affairs related to your primary human rights?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly believe	30.2%	30.4%
2	Somewhat believe	69.5%	51.8%
3	Somewhat not believe	0.0%	8.0%
4	Strongly not-believe	0.3%	8.0%
5	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Table no 22 presents a response to respondents in Maharashtra and Chhattisgarh about their beliefs in an environment conducive to all matters relating to their primary human rights and their right to active, free, and meaningful participation in the villagers. Data in the above table provides the fact that majority of the respondents believe that they have a favourable environment and right to active, free, and meaningful participation in Gram Sabha for all affaires related to their primary human rights. Field insights suggests that after the implementation of pro-people Acts like PESA and FRA, the pace of participation in a free and democratic environment is gradually increasing. Both the Acts provide and recognize the legal rights of forest-dwelling communities that motivate the common citizens to actively participate in the Gram sabhas. This has created a democratic environment where people discuss and debate the issues related to their primary human rights.

Table 23: Whether you have raised any questions and made suggestions in the GS ever on rights-based subjects?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Frequently raise questions and make suggestions	21.4%	34.8%
2	Occasionally raise questions and make suggestions	27.8%	23.2%
3	Rarely raise questions and make suggestions	19.0%	24.1%
4	Never raise questions and make suggestions	31.9%	17.9%
5	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Table 23 presents the responses of individuals from the two states, Maharashtra and Chhattisgarh, and the response of individuals involved in the Grams Sabha on rights-based issues (GS). Data shows that respondents in both states raise questions in the Gram sabhas, however, the percentage is higher in the state of Chhattisgarh at 34.8% (frequently) and 23.2%(occasionally), It is also important to mention that the condition at both states in particular in the study areas is relatively different than the other parts due to the presence of extremism and highly remote areas. Field insights suggest that there is a gradual improvement and positivity among the respondents to change the narrative.

Table 24: What are the reasons that motivate you to take participation in the Gram Sabha? **(N:1120)**

Sr.no	Response	Response	States	
			Maharashtra	**Chhattisgarh**
1	GS gives an opportunity for right to raise questions related to primary human right	**Yes**	99.3%	0.9%
		No	0.3%	0.9%
		No answer	0.3%	98.2%
2	GS place where critical discussion and decision is being taken in the interest of villagers	**Yes**	99.0%	87%
		No	0.7%	10%
		No answer	0.3%	0.3%
3	GS is a forum where everyone is considered equal	**Yes**	99.3%	85%
		No	0.3%	12%
		No answer	0.3%	0.3%
4		**Yes**	84.4%	82%
		No	15.3%	12%

	GS is the Most primary and close to people at village level	No answer	0.3%	0.6%
5	GS is the place for gossiping and entertainment	Yes	0.7%	0.2%
		No	98.6%	98%
		No answer	0.7%	0.0%
	Total		**100%**	**100%**

Source: Primary data

Table 24 presents the responses of individuals in Maharashtra and Chhattisgarh who motivate them to participate in the Gram sabha (GS), which is the Gram sabha. The table includes response options and the corresponding percentage for each state. Table no 25 provides a very insightful depiction of the inner reasons that motivate ordinary villagers to take part in the local democracy. The data highlights the following three vital factors to be important that motivates villagers such as; GS gives an opportunity for the right to raise questions related to primary human right(99.3 Maharashtra); GS is a place where critical discussion and decision is being taken in the interest of villagers (Maharashtra 99% and Chhattisgarh 87 %); and GS is a forum where everyone is considered equal (Maharashtra 99.3% and Chhattisgarh 85 % respectively.

Fig 8:method of direct people's participation in local governance is important?
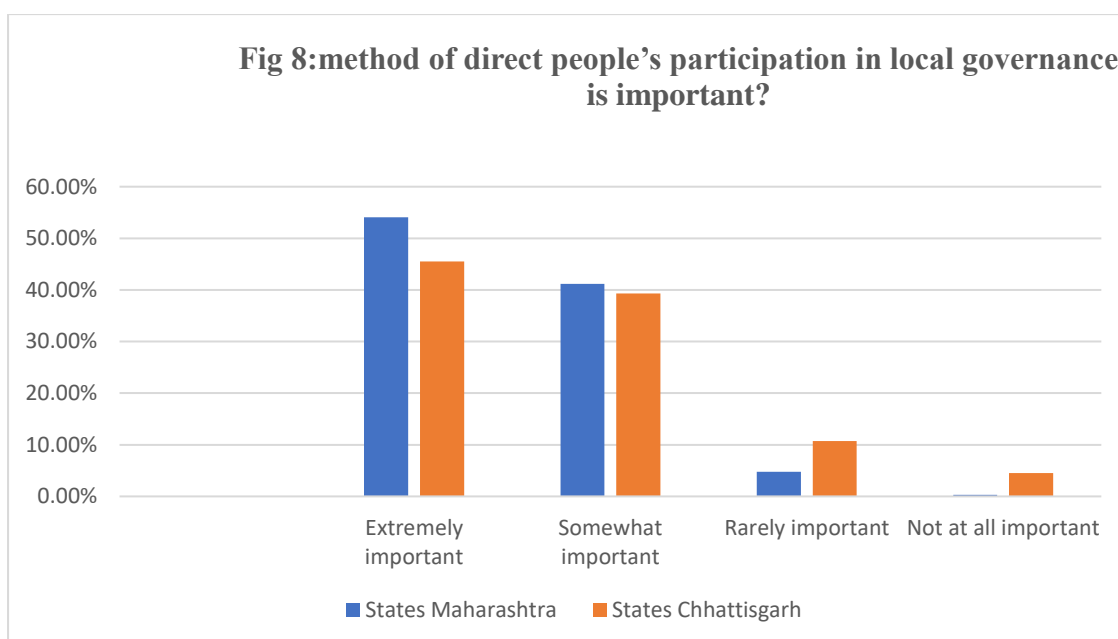
Source: Primary data

Direct people's participation contributes to better decisions because decision-makers have more complete information – to affect the decision-making process in the form of additional facts, values and approaches obtained by public input. This is evident from the Figure no 8 that maximum number of respondents believe that the method of direct people's participation in local governance is important which is supported by respondents by confirming extremely important (Maharashtra 54.1% and Chhattisgarh 45.5 %) respectively. When people from different strata participates in the local governance it produces healthy discussion and deliberations on locally relevant issues. The researcher noticed that at many villages leadership is emerging at such local democratic forums which mainly includes women representation.

Accountability, Transparency, and Rule of Law

Table 25: Whether your gram panchayat GP/gram sabha GS takes accountability to inform villagers about new projects/schemes/decisions and news updates related to your basic human rights and village development? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Regularly informs	32.9%	19.6%
2	Occasionally informs	48.8%	19.6%
3	Rarely informs	16.3%	43.8%
4	Not at all informs	2.0%	9.8%
5	Not Answer	0.0%	7.1%
	Total	**100%**	**100%**

Source: Primary data

The table presents the response of villagers between the two states, Maharashtra and Chhattisgarh about the accountability of Gram sabha about new projects/schemes/decisions and news updates related to your basic human rights and village development. Insights from the field suggest that it is the Gram sabha being one of the closest primary-level local institutions takes accountability to inform and educate villagers about the new development schemes. Table no 26 explores the fact that the majority of the respondents have faith on this grassroot level local institution regarding informing various new projects/schemes/decisions and news updates related to your basic human rights and village development. However, these responses show that, compared to Chhattisgarh, in Maharashtra villagers are aware of new projects, plans, decisions, and news updates related to their basic human rights and village development. In Chhattisgarh, an important part of the respondents noted that they are rarely informed, indicating the potential gap between the GP /GS and the villagers in the state.

Table 26: Whether your question or suggestion is considered by the Gram Sabha as per rule of law? **(N:1120)**

Sr.no	Response	Response	States	
			Maharashtra	**Chhattisgarh**
1	Considered after due discussion by the gram sabha	**Yes**	100.0%	53.6%
		No	0.0%	45.5%
		No answer	0.0%	0.9%
2	Rejected due to lack of common consciousness and public interest	**Yes**	84.7%	45.5%
		No	15.0%	52.7%
		No answer	0.7%	1.8%
3	Debated and unanimously decided to have a fresh discussion until logical	**Yes**	82.7%	55.4%
		No	16.9%	43.8%
		No answer	0.3%	0.9%
4	Rejected without discussion and justification	**Yes**	5.4%	38.4%
		No	92.9%	58.9%
		No answer	2.0%	2.7%
	Total		**100%**	**100%**

Source: Primary data

In Maharashtra and Chhattisgarh, according to the rule of law, the table presents a data on whether the questions or suggestions of individuals are considered by the Grams Sabha. Being the primary local governance structure the role of Gram sabha is very crucial in providing a democratic opportunity to every villager to put their views without fear and impartiality. Table no 26 depicts very insightful findings that majority of the respondent confirm that their suggestions are Considered after due discussion by the gram sabha; and equally Rejected due to lack of common consciousness and public interest, this shows that Gram sabha are moving towards true democratic local structures where suggestions are democratically discussed and considered after due discussion and even Rejected due to lack of common consciousness and public interest.

It is important to note that at Mendha Lekha and few other villagers there is a tradition of *"Ekmat not Bahumat"* means until all the villagers confirms a particular resolution that resulation is not passed even majority of them considered fair. It means there is importance for each and every opinion. This kind of democratic maturity is very rarely seen at elsewhere. Overall, the vibrant environment for gram panchayats and gram sabhas in Gachiroli, Chandrapur, and Gondia districts can be attributed to the presence of tribal communities, active civil society, rich natural resources, awareness and education initiatives, and supportive government policies. These factors contribute to a culture of community participation, decentralized decision-making, and local development in these districts.

Table 27: Whether the governance of GS rejecting and recommending any of your questions and suggestion for re-discussion justified? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Always justified	67.1%	23.2%
2	Sometimes justified	14.6%	33.9%
3	Rarely justified	15.6%	26.8%
4	Never justified	0.7%	10.7%
5	Not Answer	2.0%	5.4%
	Total	**100%**	**100%**

Source: Primary data

After the enactment of 73 rd amendment the nature of grassroots local governance has been changed, particularly the role of Gram sabha becomes very important for protecting and promoting the basic human rights of the common masses. For transparent and accountable governance there are instances where the Gram sabha rejects and recommends issues raised by the members. Table no 27 focuses on this particular aspect it is clear that almost 67 % of respondents from Maharashtra said it is always justified and 33.9 % of respondents from Chhattisgarh are in favor of sometimes justified.

In general, the consensus is emerging in the study area about democratic deliberations, not for individual perception, people think that the issues raised in the Gram sabha are at the community level and do not entertain individual or vested interest. It can be concluded that there is a silent revolution that prefers to accommodate public voices democratically.

Table 28: Did your Gram Sabha conduct Social-audits of all the projects and schemes? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Regularly Conduct	21.0%	19.6%
2	Sometimes conduct	46.8%	29.5%
3	Rarely conduct	13.6%	31.2%
4	Never conduct	14.9%	13.4%
5	Not Answer	3.7%	6.2%
	Total	**100%**	**100%**

Source: Primary data

Social audit is an effective democratic means that offer an opportunity to every eligible member to participate in the gram sabha and exercise the right bestowed on them. It also explores gaps in the implementation and planning policy for village development for sustainable development. This process typically involves gathering feedback, holding public hearings, reviewing documents, and verifying actual results against desired goals. Table no 28 presents whether Gram Sabhas conduct a social audit of all projects and schemes in Maharashtra and Chhattisgarh. Responses are categorized into five options with corresponding percentages for each state.

Data from the above table indicates that there is a growing trend of acceptance to apply democratic and socially accountable practices such as social audits almost 67.8 % of respondents from Maharashtra are of the opinion that social audits at their respective gram sabha's conducts regularly and sometimes whereas 49.1 % of respondents from Chhattisgarh believes the same respectively. However, still, there is room for improvement. At the same time, the field insights explore a few representative case studies of Gram sabha where social audits are conducted at regular intervals.

Case study

The qualitative field insights highlight specific cases in Gadchiroli and Chandrapur districts of Maharashtra, such as Mendha Lekha and Sai Gatta, where social audits are conducted in an effective manner. The researcher provides elaboration on why these cases are considered ideal:

Mendha Lekha:

Mendha Lekha is a village in Gadchiroli district known for its proactive community engagement and governance practices.

The village has a strong tradition of self-governance and community participation, particularly through the institution of the Gram Sabha.

In Mendha Lekha, the Gram Sabha has successfully implemented social audits, ensuring transparency and accountability in the utilization of funds for various projects and schemes.

The villagers actively participate in the auditing process, scrutinizing the implementation of projects, assessing their impact, and holding authorities accountable.

This effective implementation of social audits in Mendha Lekha has led to increased community ownership, improved decision-making, and enhanced project outcomes.

Sai Gatta:

Sai Gatta is another village, located in Chandrapur district, that has demonstrated exemplary practices in conducting social audits.

The Gram Sabha in Sai Gatta has been instrumental in organizing and facilitating regular social audits of government projects and schemes.

The village community actively participates in the audits, providing inputs, raising concerns, and verifying the information provided by the authorities.

The social audits in Sai Gatta have helped in identifying discrepancies, ensuring proper utilization of funds, and improving the quality of services delivered to the villagers.

The village has seen tangible improvements in the implementation of projects and schemes, as well as increased transparency and accountability in governance.

These cases serve as ideal examples of effective social audits due to several factors:

Strong Community Participation: Both Mendha Lekha and Sai Gatta have a strong sense of community participation and engagement. The villagers actively contribute to the social audit process, enabling them to have a direct role in decision-making and monitoring the progress of projects.

Awareness and Empowerment: The villagers in these cases have been empowered with knowledge about their rights, entitlements, and the importance of social audits. They are aware of the significance of scrutinizing government projects and schemes to ensure their effective implementation.

Collaboration and Cooperation: The success of social audits in these villages can be attributed to the collaborative efforts of community members, civil society organizations, and local authorities. The stakeholders work together to organize and conduct social audits, fostering trust and cooperation.

Tangible Impact: The effective implementation of social audits in Mendha Lekha and Sai Gatta has resulted in visible improvements in project implementation, accountability, and service delivery. This has led to enhanced trust between the government and the community.

These qualitative field insights provide justification for considering Mendha Lekha and Sai Gatta as ideal cases where social audits are conducted in an effective manner. They showcase the positive outcomes that can be achieved when communities actively participate in monitoring and evaluating government projects, ensuring transparency, accountability, and improved development outcomes.

Source: Primary data

Table no 29 presents data on respondents' beliefs regarding whether officials in Gram Sabha offices are performing their governance duties responsibly and responsibly to protect the human rights of the local community.

Table 29: Did you believe that the office bearers of Gramsabha are doing their governance based on accountability; responsibility towards protecting the human rights of the local community? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	Chhattisgarh
1	Strongly believe	33.6%	30.4%
2	Somewhat believe	64.1%	42.9%
3	Somewhat not believe	0.7%	14.3%
4	Strongly not-believe	1.4%	12.5%
5	Not Answer	0.3%	0.0%
	Total	**100%**	**100%**

Source: Primary data

If we see the nature of responses reflected in the above table it can be concluded that the majority of the respondents positively believe that the office bearers of Gramsabha are doing their governance based on accountability; responsibility towards protecting the human rights of the local community. One of the important reasons could be the nature and process of selection of office bearers they select democratically by the villagers for the villagers from their own community. This creates trust and accountability among both office bearers and villagers. In Maharashtra, 33.6% of the respondents strongly believe that the office bearers of the Gram Sabha are performing their governance duties with accountability and responsibility towards protecting the human rights of the local community. In Chhattisgarh, a slightly lower percentage of respondents, 30.4%, strongly believe in the office bearers' commitment to accountability and human rights protection.

NON-DISCRIMINATION AND EQUALITY

Non-discrimination and equality play an important role in the functioning and sustainability of gram sabha in protecting and promoting the human rights of tribal and forest communities. There are instances in the earlier models of traditional local governance where discrimination and unequal treatment has been recorded. In order to counter such models, democratic models like Gram sabhas emerged based on the fundamental philosophy of justice, equality, and non-discrimination based on caste, race, gender, and others. Table no 30 provides data on respondents' experiences of discriminatory treatment based on various factors such as caste, class, ethnicity, gender, age, and religion in Gram Sabhas.

Table 30: Did you experience any of the following discriminatory treatment based on Caste; class; ethnicity; gender; age; or religion in gram sabha? **(N:1120)**

Sr.no	Response	Response	States	
			Maharashtra	Chhattisgarh
1	Participation in local governance	Yes	2.0%	16.1%
		No	98.0%	83.9%
		No answer	0.0%	0.0%

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2	Participation in Decision Making	Yes	17.3%	10.7%
		No	82.4%	88.4%
		No answer	0.3%	0.9%
3	Unequal representation in local governance bodies	Yes	6.1%	9.8%
		No	92.20%	89.3%
		No answer	1.7%	0.9%
	Total		**100%**	**100%**

Source: Primary data

Although the majority of respondents from both states do not agree that they face discriminatory treatment based on Caste; class; ethnicity; gender; age; or religion in gram sabha in four enlisted categories, however, there is a section of respondents who still believes that they face discriminatory treatment based on Caste; class; ethnicity; gender; age; or religion in gram sabha. The percentages of the responses who do not face discriminatory treatment are: Participation in local governance (Maharashtra 98 % and Chhattisgarh 83%); Participation in Decision Making (Maharashtra 82.4 % and Chhattisgarh 88.4 %); Unequal representation in local governance bodies (Maharashtra 92.20 % and Chhattisgarh 89.3 %).

The field insights suggests that even though the condition is quite optimistic and changing positively as compared to earlier there is small section particularly women who believes that there should be more scope for their accommodation in these democratic institutions, except in gram sabhas in the districts of Gadchiroli and Chandrapur. Likewise, another important section who do not believe in democratic structures and relies on traditional local governance structures depended on patriarchy and hegemony strongly opposes these structures (See Table 30).

Table 31: Does the GP-GS provide equal opportunity to men and women for the following? **(N:1120)**

Sr.no	Response	Response	States	
			Maharashtra	**Chhattisgarh**
1	Equal wage policy	Yes	83.1%	44.6%
		No	16.9%	52.7%
		No answer	0.0%	2.7%
2	Equal Representation in local governance bodies	Yes	84.7%	43.8%
		No	15.3%	55.4%
		No answer	0.0%	.9%
3	Equal employment opportunities	Yes	89.8%	47.3%
		No	10.2%	52.7%
		No answer	0.0%	.0%
4	Freedom to participate and expression in all affairs of local governance	Yes	85.8%	61.6%
		No	9.2%	37.5%
		No answer	5.1%	.9%
	Total		**100%**	**100%**

Source: Primary data

Table no 31 presents data on whether GP-GS provide equal opportunity to men and women for Equal wage policy; Equal Representation in local governance bodies; Equal employment opportunities; Freedom to participate and expression in all affairs of local governance.

The data suggest that the perception of equal opportunities for men and women in GP-GS varies between Maharashtra and Chhattisgarh. In general, most respondents in Maharashtra believe that equal opportunities exist in terms of wage policy, representation in local government bodies, employment and freedom to participate and express. However, in Chhattisgarh, the percentages are lower in most categories, indicating a perception of inequality in these aspects. The negative responses from Chhattisgarh varies such as Equal wage policy (52.7 %); Equal Representation in local governance bodies (55.4%); Equal employment opportunities(52.5%); Freedom to participate and expression in all affairs of local governance(37.5 %).

The data further advocate that the perception of equal opportunities for men and women in GP-GS varies between Maharashtra and Chhattisgarh. In general, most respondents in Maharashtra believe that equal opportunities exist in terms of wage policy, representation in local government bodies, employment and freedom to participate and express. However, in Chhattisgarh, the percentages are lower in most categories, indicating a perception of inequality in these aspects.

Table 32: What is the level of women's participation in Gram Sabha?   **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Higher level	25.8%	23.2%
2	Moderate level	56.9%	54.5%
3	Lowest level	16.6%	16.1%
4	Not at all participation	0.0%	6.2%
5	Not Answer	0.7%	0.0%
	Total	**100%**	**100%**

Source: Primary data

The data indicated that most of the respondents in both Maharashtra and Chhattisgarh perceived women's participation in gram sabhas to be moderate. A significant percentage of respondents believe that women's participation is at a high level. However, the level of participation of women appears to be the lowest in a significant percentage of respondents in both the states. Table no 32 indicates that merely in Maharashtra 25.8 % of respondents and 23.2 % from Chhattisgarh perceive that women's participation in gram sabha is at a higher level however, In Maharashtra, 56.9%, most of the respondents perceive women's participation in gram subhas to be moderate.

In Chhattisgarh, a similar percentage of 54.5% of the respondents perceived the level of participation of women to be moderate. Lowest level: In Maharashtra, 16.6% of the respondents believe that the participation of women in gram sabhas is at the lowest level. In Chhattisgarh, 16.1%, a slightly higher percentage, perceived the participation level of women to be the lowest among the respondents.

Human dignity and empowerment

Human dignity refers to the inherent worth and value of each person by virtue of being human. It recognizes and respects the fundamental rights, freedoms and equality of all persons irrespective of their background, race, religion, gender or any other characteristic[15].

Table 33: Did you believe that you get equal respect and status as a human being in all affairs in the process? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly believe	30.8%	33.0%
2	Somewhat believe	67.1%	54.5%
3	Somewhat not believe	2.0%	7.1%
4	Strongly not-believe	0.0%	5.4%
5	Not Answer	0.0%	0.0%
	Total	**100%**	**100%**

Source: Primary data

The role of protecting human dignity in various social and political spheres such as Gram panchayat and Gram sabhas promotes the active participation and inclusion of individuals and communities in decision-making processes that affect their lives. It is the right to have a voice, express their views and contribute to shaping policies, programs and activities that affect them. Table 33 provides data on people's beliefs about the equal respect and status of human beings in all matters in two states: Maharashtra and Chhattisgarh.

The data indicated that a significant percentage of respondents in both Maharashtra and Chhattisgarh believe that they receive equal respect and status as human beings in all respects. In Maharashtra, 30.8% strongly believe and 67.1% somewhat believe the idea. Similarly, in Chhattisgarh 33.0% strongly believe and 54.5% slightly believe it.

Thus, it is fair to conclude that there is a growing consciences and trust in the local level self-governance institution where people believe that they get equal respect and status as a human being in all affairs in the process

Table 34: Did you consider that your GS offer special preferential treatment to certain people, group or community in the local governance processes? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly believe	4.4%	25.0%
2	Somewhat believe	30.6%	54.5%
3	Somewhat not believe	25.2%	14.3%
4	Strongly not-believe	38.8%	6.2%
5	Not Answer	1.4%	0.0%
	Total	**100%**	**100%**

Source: Primary data

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[15] https://www.ohchr.org/en/human-rights/universal-declaration/translations/english

Table no 34 presents data on people's beliefs about whether their Gram Sabhas give special preference to certain people, groups, or communities in the local governance process. Data in the table presents the fact that a majority of respondents offer mixed reactions as far as their GS offering special preferential treatment to certain people, group, or community in the local governance processes, particularly in the state of Chhattisgarh respondents fairly believes the special treatment this may be due to the influence on traditional local governance councils and lack of awareness about the significance of gram sabha and role of support institutions like civil society and non-government organizations. The variation in the respondent's responses clearly shows a general gap in both states such as 4.4% (Maharashtra) and 25.0%(Chhattisgarh) strongly believes special preference. As the study villages are small and relatively dominated by particular caste and ethnic groups in such a condition minority group may feel such treatment to be given to the particular groups.

Table 35: Did you consider that the GS helps the common villagers to give power and authority to claim and demand their basic rights? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly believe	23.7%	27.7%
2	Somewhat believe	73.2%	56.2%
3	Somewhat not believe	1.7%	8.9%
4	Strongly not-believe	0.3%	6.2%
5	Not Answer	1.0%	0.9%
	Total	**100%**	**100%**

Source: Primary data

Gram Sabhas provides citizens with a direct voice in the decision-making process. The gram sabha prevents the panchayat from doing wrong things like misappropriating money or favouring certain people. It plays an important role in monitoring elected representatives and holding elected officials accountable. It is pertinent to note that the constitution has given utmost powers to gram sabha and therefore it also extends to the people who participate in this politically empowered local institution. It provides a public platform for citizens to claim their basic human rights in a democratic manner.

The data indicated that a significant percentage of respondents in both Maharashtra and Chhattisgarh believed that gram sabhas help and empower ordinary villagers to claim and demand their basic rights. In Maharashtra 23.7 % and 27.7% in Chhattisgarh strongly believe this inkling. Whereas, in Maharashtra 73.2% and in Chhattisgarh 56.2% somewhat believe it.

Table 36: Which of the following factors seem to be important for the emergence of new roles of GP-GS for the promotion and protection of human rights of forest and tribal communities?

N:1120

Sr.no	New roles		States	
			Maharashtra	**Chhattisgarh**
1	Implementation of PESA	Strongly Disagree	49.8%	2.7%
		Somewhat Disagree	0.7%	30.4%
		Fairly Agree	0.0%	25.0%
		Agree	6.8%	19.6%
		Strongly agree	25.1%	19.6%
		Not Answer	17.6%	2.7%
		Total:	**100%**	**100%**
2	Implementation of FRA	Strongly Disagree	5.1%	14.3%
		Somewhat Disagree	0.7%	8.9%
		Fairly Agree	1.4%	17.0%
		Agree	19.7%	29.5%
		Strongly agree	73.2%	29.5%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
3	Both factors FRA and PESA	Strongly Disagree	8.2%	6.2%
		Somewhat Disagree	19.4%	30.4%
		Fairly Agree	15.0%	18.8%
		Agree	38.0%	28.6%
		Strongly agree	13.3%	15.2%
		Not Answer	6.5%	0.9%
		Total:	**100%**	**100%**
4	Participatory local governance approach adopted by GS	Strongly Disagree	.0%	9.8%
		Somewhat Disagree	6.1%	15.2%
		Fairly Agree	49.8%	28.6%
		Agree	23.1%	36.6%
		Strongly agree	21.0%	8.9%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
5	Commitment, trust and struggle by the local leadership and villagers	Strongly Disagree	.3%	18.8%
		Somewhat Disagree	33.9%	21.4%
		Fairly Agree	16.6%	22.3%
		Agree	32.2%	26.8%
		Strongly agree	16.9%	9.8%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
6	Participatory local governance approach adopted by GS and	Strongly Disagree	15%	13.4%
		Somewhat Disagree	30%	26.8%
		Fairly Agree	20%	17.9%
		Agree	39%	34.8%
		Strongly agree	7%	6.2%
		Not Answer	1%	9%

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	Commitment, trust & struggle by local leadership and villagers	Total:	100%	100%

Source: Primary data

Table no 36 explores crucial factors to be important for the emergence of new roles of GP-GS for the promotion and protection of human rights of forest and tribal communities. The responses received from the respondents are categorised into six specific factors. Field observations points out that there are socially relevant, contextual and demand-based roles have been adopted by the various gram sabhas in the select districts of both the states. Although there is a variation in the responses given by the respondents to each factor however all the seven factors are equally important. The responses towards the option strongly agree have following ranges; Implementation of PESA (Maharashtra 25.1% and Chhattisgarh 19.6%); implementation of FRA(Maharashtra 73.2 % and Chhattisgarh 29.5 %); Both factors FRA and PESA(Maharashtra 25.1% and Chhattisgarh 19.6%); Participatory local governance approach adopted by GS(Maharashtra 21.0% and Chhattisgarh 8.9 %);; Commitment, trust and struggle by the local leadership and villagers(Maharashtra 16.9 % and Chhattisgarh 9.8 %); Participatory local governance approach adopted by GS and Commitment, trust & struggle by local leadership and villagers (Maharashtra 7 % and Chhattisgarh 6.2%). Finally, among the all seven factors implementation of FRA and participatory local governance approach adopted by GS and commitment, trust & struggle by local leadership and villagers these two have been emerged as most trusted and appealing factors.

Table 37: Level of satisfaction with regard to the new roles adopted by the GP-GS in the promotion and protection of human rights of forest and tribal communities?   **N:1120**

Sr.no	Responses	States	
		Maharashtra	**Chhattisgarh**
1	very satisfied	23.7%	25.0%
2	somewhat satisfied	67.1%	43.8%
3	neutral	8.5%	4.5%
4	somewhat not satisfied	0.3%	8.9%
5	not at all satisfied	0.0%	17.9%
6	Not Answer	0.3%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Table no 37 presents data about the level of satisfaction with regard to the new roles adopted by the GP-GS in promotion and protection of human rights of forest and tribal communities in the select districts of Maharshtra and Chhattisgarh states. This table presents the overall impact and perception of respondents on the new roles adopted by the Gram Sabha. Personal observations of field assistance and the principal investigator confirms the fact that as compared to the gram Sabha's where FRA and PESA have not been implemented the gram sabhas under the study where FRA and PESA have been implemented show fairly positive impact. The gram sabha's under investigation are dynamic and performing closely by adopting participatory approach in implanting new roles. It is evidently confirmed by a vast majority of

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respondents in the categories of very satisfied (Maharashtra 23.7% and Chhattisgarh 25.0% and somewhat satisfied Maharashtra 67.1% and Chhattisgarh 43.8%) respectively.

Section-III
To investigate locally relevant and socio-culturally appropriate participatory local governance strategies adopted by Gram Panchayats to safeguard inherent human rights concerns of FTC.

Table 38: What are the important locally relevant and socio-culturally appropriate participatory local governance strategies initiatives encouraged and incorporated by the gram panchayat GP and gram sabha GS to safeguard inherent human rights concerns of forest and tribal communities FTC? **(N:1120)**

Sr.no	New roles		States	
			Maharashtra	**Chhattisgarh**
1	Highest priority and encouragement to involve local women, youths, and other marginalized groups in all affairs of local governance who were earlier excluded in the traditional panchayats.	Strongly encouraged and incorporated	23.4%	43.8%
		Somewhat encouraged and incorporated	67.5%	31.2%
		Somewhat not encouraged and incorporated	4.1%	14.3%
		Strongly not-encouraged and incorporated	5.1%	10.7%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Active involvement of local social leaders in the governance of gram sabha	Strongly encouraged and incorporated	72.9%	33.0%
		Somewhat encouraged and incorporated	26.1%	42.9%
		Somewhat not encouraged and incorporated	0.7%	9.8%
		Strongly not-encouraged and incorporated	0.3%	13.4%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
3	Encouragement for multiple open and transparent public debates and discussions in local language on local issues	Strongly encouraged and incorporated	53.2%	53.6%
		Somewhat encouraged and incorporated	36.9%	26.8%

#				
		Somewhat not encouraged and incorporated	0.3%	16.1%
		Strongly not-encouraged and incorporated	9.5%	3.6%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
4	Encouragement to collect meaningful subjects having thrust on local development and human rights issues such as PESA., FRA, mining; forest rights; and gender equality	Strongly encouraged and incorporated	48.8%	46.4%
		Somewhat encouraged and incorporated	37.6%	46.4%
		Somewhat not encouraged and incorporated	8.8%	1.8%
		Strongly not-encouraged and incorporated	4.4%	5.4%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
5	Encouragement to call Gram Sabha meetings as and when required by the villagers on any of the local issues	Strongly encouraged and incorporated	19.3%	50.9%
		Somewhat encouraged and incorporated	19.0%	33.9%
		Somewhat not encouraged and incorporated	10.8%	8.9%
		Strongly not-encouraged and incorporated	50.8%	6.2%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
6	Made special efforts to Ensure that the meetings are held at times when women are able to attend the meeting excluding harvesting and tendu collection days	Strongly encouraged and incorporated	22.7%	32.1%
		Somewhat encouraged and incorporated	67.8%	36.6%
		Somewhat not encouraged and incorporated	5.4%	9.8%
		Strongly not-encouraged and incorporated	4.1%	21.4%
		Not Answer	0.0%	0.0%

		Total:	**100%**	**100%**
7	Encouragement to resolve local level long-term collective struggles by the villagers on rights based issues	Strongly encouraged and incorporated	38.0%	22.3%
		Somewhat encouraged and incorporated	50.8%	42.9%
		Somewhat not encouraged and incorporated	6.8%	22.3%
		Strongly not-encouraged and incorporated	4.4%	12.5%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
8	Due Acknowledgement and consideration of the locally relevant issues discussed during local cultural ceremonies and gatherings	Strongly encouraged and incorporated	49.2%	35.7%
		Somewhat encouraged and incorporated	35.6%	46.4%
		Somewhat not encouraged and incorporated	5.1%	9.8%
		Strongly not-encouraged and incorporated	10.2%	8.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
9	Conducted village survey and developed a micro plan for the village on critical local rights-based development issues	Strongly encouraged and incorporated	31.5%	19.6%
		Somewhat encouraged and incorporated	60.3%	42.0%
		Somewhat not encouraged and incorporated	1.0%	19.6%
		Strongly not-encouraged and incorporated	7.1%	18.8%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

Table no 38 has a distinctive feature and significance as its emphasis on locally relevant and socio-culturally appropriate participatory local governance strategies initiatives encouraged and incorporated by the gram panchayat GP and gram sabha GS to safeguard inherent human

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rights concerns of forest and tribal communities FTC. Locally relevant and socio-culturally appropriate participatory local governance strategies are one of the strengths of local governance structures like Gram panchayat and Gram Sabha. Since these two institutions are primarily and closely associated with local communities it has a special advantage to design plans accordingly for village development and to protect the human rights of common villagers. Table no 39 presents a total of nine typical locally relevant and socio-culturally appropriate participatory local governance strategies adopted by the gram sabhas in the select villages under the present investigation. The responses from the respondents from both states vary according to the local context and the strategies adopted by the respective gram sabha's such as study villages from Maharashtra and Chhattisgarh giving utmost preference (Strongly encouraged and incorporated) to the following locally relevant strategies: Active involvement of local social leaders in the governance of gram sabha(Maharashtra 72.9 %); Encouragement for multiple open and transparent public debates and discussions in the local language on local issues(53.6 % Chhattisgarh) Encouragement to call Gram Sabha meetings as and when required by the villagers on any of the local issues (50.9 % Chhattisgarh))followed by Encouragement for multiple open and transparent public debates and discussions in the local language on local issues (Maharashtra 53.2); likewise, the Highest priority and encouragement to involve local women, youths, and other marginalized groups in all affairs of local governance who were earlier excluded in the traditional panchayats.(67.5 Maharashtra). The data reveals a variation in adopting and selecting preferences for locally relevant and socio-culturally appropriate participatory local governance strategies to protect and promote the fundamental human rights of forest and tribal masses. However, these variations are justifiable and context-specific.

Table 39: Did you consider that Gram Panchayat GP/ Gram sabha GS promotes local spiritual rights and utilizes local traditional knowledge from tribes and forest communities in protecting livelihood and forest rights? **(N: 1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly consider	28.5%	39.3%
2	Somewhat consider	60.3%	41.1%
3	Somewhat not consider	1.4%	12.5%
4	Strongly not- consider	0.3%	7.1%
5	Not Answer	9.5%	0.0%
	Total	**100%**	**100%**

Source: Primary data

Table no 39 shows the percentage of respondents considering the role of Gram Panchayat in promoting local spiritual rights and utilizing local traditional knowledge from tribals and forest communities. In Maharashtra, 28.5% strongly considered the role of GP/GS in promoting local spiritual rights and utilizing traditional knowledge, while 30.3% considered it somewhat. Only 1.4% of respondents did not consider it somewhat and 0.3% did not consider it strongly. 9.5% did not answer. In Chhattisgarh, 39.3% of respondents strongly considered the role of GP/GS in promoting local spiritual rights and utilizing traditional knowledge, while 41.1% considered it somewhat. 12.5% of respondents did not consider it to some extent and 7.1% did not consider

it strongly. Comparatively, a higher percentage of respondents in Chhattisgarh strongly considered the role of GP/GS in promoting local spiritual rights and using traditional knowledge compared to respondents in Maharashtra. This may be because Chhattisgarh has a higher percentage of tribal communities and their traditional knowledge and practices are more prevalent and valued. Field insights also support the data that in the villages selected for study in Maharashtra state there is a growing importance on adopting a mixed approach to protect and promote basic human rights since they prefer to combine both traditional and modern knowledge to mitigate fundamental human rights issues such as livelihood, health and women empowerment.

Table 40: Did you believe that the following locally relevant practices adopted by the Gram Sabha influence participatory local governance at the village level?   **(N: 1120)**

Sr.no	New roles		States	
			Maharashtra	**Chhattisgarh**
1	A conflict-free and harmonious communication encouraged by the GS	Strongly believe	39.0%	29.5%
		Somewhat believe	56.9%	42.0%
		Somewhat not believe	2.0%	12.5%
		Strongly not-believe	0.7%	16.1%
		Not Answer	1.4%	0.0%
		Total:	**100%**	**100%**
2	The collectivist environment developed by the GS to prepare plans for village development and accommodates right-based issues	Strongly believe	53.6%	58.0%
		Somewhat believe	43.4%	26.8%
		Somewhat not believe	1.4%	13.4%
		Strongly not-believe	0.7%	1.8%
		Not Answer	1.0%	0.0%
		Total:	**100%**	**100%**
3	GP GS provides material/information on development schemes and actual rights-based local issues having a focus on local language geographical Geographic Region and Local Community	Strongly believe	31.5%	33.9%
		Somewhat believe	55.3%	39.3%
		Somewhat not believe	11.9%	23.2%
		Strongly not-believe	0.3%	3.6%
		Not Answer	1.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

There is a fundamental difference between government and governance, government is more vertical but governance is largely horizontal where the role of public participation is crucial. The table no 40 offers three significant locally relevant practices adopted by the Gram Sabha that influence participatory local governance at the village level. If we analyze the strategies adopted by the respective gram sabha in the select villages under study it can be observed that emphasis is being given to the common masses and their primary rights a majority of

respondents from both states collectively emphasized the collectivist environment developed by the GS to prepare plans for village development and accommodates right-based issues(53.6% Maharashtra and 58.0% Chhattisgarh) followed by A conflict-free and harmonious communication encouraged by the GS(39.00% Maharashtra and 29.5% Chhattisgarh) and GP GS provides material/information on development schemes and actual rights-based local issues having a focus on local language geographical Geographic Region and Local Community(31.5% Maharashtra and 33.9 % Chhattisgarh) respectively. A conflict-free and harmonious communication; a collectivist environment and a locally relevant information dissemination strategy provide the necessary conditions for ordinary masses to participate in the local government institution without fear. Such locally relevant approaches help planners and citizens come together more inclusively to participate, deliberate and come out with practical solutions.

Thus, the data in Table no 40 can be used by policymakers to develop evidence-based policies and programs better suited to the needs of local communities in Maharashtra and Chhattisgarh and promote more effective participatory local governance at the village level.

Section-IV
To study the pattern and significance of new transformative alternative democratic local governance structures emerging at grassroots level to protect and promote inherent human rights of FTCs.

Mainstream governance and development models – ostensibly democratic but inherently centralized and top-down governance systems and extractive, commercially motivated, capitalist economic policies have failed to achieve a minimum level of well-being for the vast majority of humanity. However, there are also counterarguments to resist existing models or to develop and defend alternative forms of governance and welfare (Singh, Kulkarni, and Pathak, 2018). It is in this context, the present section aims to explore whether there is a dawn of any such alternative democratic structures that functions for the protection and promotion of fundamental human rights of tribal and forest communities formed by these communities primarily as a think tank and strategic forum.

Table 41: Did you consider that under distressing conditions such as illegal mining; corruption; political apathy, the incidence of violation of HR, and extremism you need a few other alternative democratic local governance structures along with GP-GS at the grassroots level to protect and promote inherent human rights of FTCs?   **(N1120)**

Sr.no	Responses	States	
		Maharashtra	**Chhattisgarh**
1	Strongly consider	57.6%	57.1%
2	Somewhat consider	40.0%	21.4%
3	Somewhat not consider	0.3%	7.1%
4	Strongly not- consider	2.0%	13.4%
5	Not Answer	0.0%	0.9%
	Total	**100%**	**100%**

Source: Primary data

Table 41 shows the responses of the respondents from Maharashtra and Chhattisgarh when they were asked whether they felt that alternative democratic local governance structures including GP-GS at the grassroots level were necessary to protect and protect them from issues such as illegal mining, corruption, political indifference, HR violations, and extremism. Majority of the respondents in both the states felt that an alternative democratic local governance structure including GP-GS is necessary to protect and promote the basic human rights of the FTC under distressing conditions. However, respondents in Maharashtra seem to have a more positive view of it, with a higher percentage strongly considering it. On the other hand, respondents in Chhattisgarh seem to have a more mixed view of it, with a higher percentage not considering it.

In Maharashtra, 57.6% of respondents strongly consider the need for such alternative democratic local governance structures, while 40% somewhat consider it. Only a very small percentage, 0.3%, somewhat disagree and 2% strongly disagree. In Chhattisgarh, 57.1% of respondents strongly consider the need for alternative democratic local governance structures, while 21.4% consider it somewhat. A large percentage, 13.4%, don't think so strongly.

Possible reasons about why the small section of respondents in the select gram sabha's from the Chhattisgarh state does not consider the need for alternative democratic local governance structures are lack of presence and or exposure to such alternative counter-democratic structures. Informal discussions with gram sabha members reveal that there is just the beginning of such alternative structures in very limited jurisdictions that are close to the state of Maharashtra such as Gadchiroli and Chandrapur districts. However, they are positive about such alternative structures many gram sabha members are arranging study visits to the nearest garmsabha in Gadchiroli and Chandrapur districts.

Fig no 9: Do you agree with new transformative alternative structures emerging at grassroots level
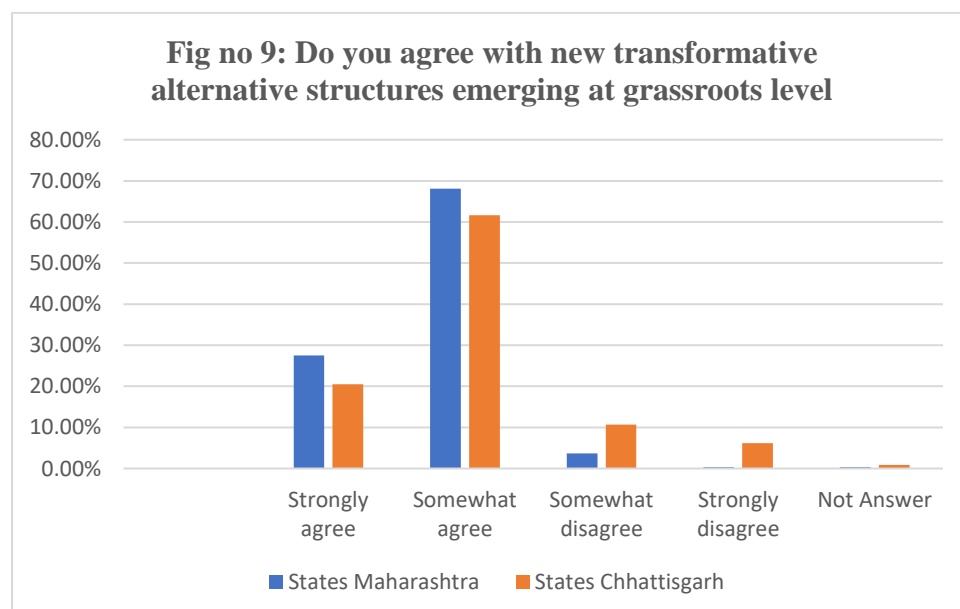
Source: Primary data

Figure no 9 aims to explore whether respondents are agree that there are a few such new transformative alternative democratic local governance structures emerging at the grassroots level to protect and promote the inherent human rights of FTCs. Based on the data provided in

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the figure no 9, we can see that most of the respondents from both Maharashtra and Chhattisgarh agree that new transformative alternative democratic local governance structures are emerging to protect and promote indigenous peoples at the grassroots level particularly human rights of FTC's. Maharashtra has the highest percentage of respondents slightly agreeing (68.1%), followed by strongly agreeing (27.5%). In Chhattisgarh, the highest percentage of respondents slightly agree (61.6%), followed by strongly agree (20.5%). Overall, the data suggest that these states have a positive perception of the emergence of alternative democratic local governance structures, which may be a promising development for the FTC's protection and promotion of basic human rights. In Maharashtra field insights suggests that, in order to further strengthen the *Gram Panchayat/Gram Sabha* institution at the grassroots level new alternative governance structures are evolving such as i)*Maha Gram Sabha* (A Federation of Gram Sabhas) ii) The *Sarpanch Sanghatna*/federations of Sarapanchs iii)*Mahila Panchayat Parisar Sangh* (women's collectives) iv) *Ilakha sabhas*(territorial Assemblies) v)*Gram Dut*(Villages agents) vi) Community Forest Management Rights Committees(CFMRC)and vii) *Gram Jangal Adhyayan Mandal*(Village Forest Study Council). These alternative structures provide an impetus for strengthening human rights at the grassroots and emerging as a voice of marginal masses to protect their natural human rights.

Table 42: Whether any of the following new transformative alternative democratic local governance structures emerging at the grassroots level to protect and promote the inherent human rights of FTCs?. **(N:1120)**

Sr.no	New transformative alternative democratic local governance structures	Responses	States	
			Maharashtra	Chhattisgarh
1	Maha Gramsabha (A Federation of Gram Sabha's)	Actively emerged	40.2%	25.8%
		Partially emerged	13.4%	6.4%
		Emerged at primary level	17.0%	0.7%
		Not at all emerged	28.6%	66.1%
		Not Answer	0.9%	1.0%
		Total:	**100%**	**100%**
2	The Sarpanch Sanghatna/federations of Sarapanchs	Actively emerged	40.2%	23.1%
		Partially emerged	26.8%	26.1%
		Emerged at primary level	3.6%	0.0%
		Not at all emerged	28.6%	50.5%
		Not Answer	0.9%	0.3%
		Total:	**100%**	**100%**
3	Mahila Panchayat Parisar Sangh (women's collectives)	Actively emerged	32.1%	5.1%
		Partially emerged	16.1%	27.8%
		Emerged at primary level	38.4%	6.8%
		Not at all emerged	12.5%	60.0%
		Not Answer	0.9%	0.3%
		Total:	**100%**	**100%**

4	Ilakhasabhas (territorial Assemblies)	Actively emerged	1.7%	52%
		Partially emerged	29.5%	23%
		Emerged at primary level	0.0%	15%
		Not at all emerged	68.5%	20%
		Not Answer	0.3%	2%
		Total:	**100%**	**100%**
5	Gram Dut (Villages agents)	Actively emerged	3.7%	5.4%
		Partially emerged	6.4%	22.3%
		Emerged at primary level	17.6%	39.3%
		Not at all emerged	69.8%	32.1%
		Not Answer	2.4%	0.9%
		Total:	**100%**	**100%**
6	Community Forest Management Rights Committees(CFMRC)	Actively emerged	78.3%	45.5%
		Partially emerged	17.3%	13.4%
		Emerged at primary level	3.7%	18.8%
		Not at all emerged	0.7%	21.4%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
7	Gram Jangal Adhyayan Mandal(Village Forest Study Council)	Actively emerged	35.3%	37.5%
		Partially emerged	13.9%	18.8%
		Emerged at primary level	10.5%	20.5%
		Not at all emerged	39.7%	22.3%
		Not Answer	0.7%	0.9%
		Total:	**100%**	**100%**

Source: Primary data

Table no. 42 presents the responses received on whether new transformative alternative democratic local governance structures have emerged at the grassroots level to protect and promote the fundamental human rights of the FTC in Maharashtra and Chhattisgarh. Following are the main observations: Maha Gram Sabha: Federation of Gram Sabhas is actively emerging in 40.2% of responses in Maharashtra, while partially emerging in 13.4% of cases.

In contrast, in Chhattisgarh, only 25.8% reported active emergence of Maha Gram Sabha, while 66.1% reported emergence. Sarpanch Sanghatana / Federation of Sarpanch: In Maharashtra, 40.2% reported active emergence of Sarpanchs Sanghatana / Federation, while it was 23.1% in Chhattisgarh. In both states, more than 50% of respondents reported that it did not occur at all.

Mahila Panchayat Parisar Sangh; In Maharashtra the active and primary level emergence of Mahila Panchayat Parisar Sangh is relatively high as compared to Chhattisgarh. In Maharashtra, 38.4% reported their emergence at the primary level, while in Chhattisgarh it was only 6.8%. In Chhattisgarh, Elakhsabhas emerged actively in 52% of cases, while in Maharashtra it was only 1.7%. It seems that the presence of Elakhsabhas is relatively high in the state of Chhatisgarh as compared to Maharashtra. Gram Dut: Maharashtra has a higher percentage of the emergence of Gram Dut 17.6% at the primary level compared to Chhattisgarh

only 5.4%. Community Forest Management Rights Committee: Maharashtra has a higher percentage of active emergence of CFMRC 78.3% compared to Chhattisgarh 45.5%.

The emergence of Gram Jungle Adhayan Mandal is reported by a higher percentage of respondents in Maharashtra 35.3% compared to Chhattisgarh 37.5%. The emergence of alternative democratic structures at the grassroots level is critical to the FTC's protection and promotion of fundamental human rights. This is important because these structures provide opportunities for marginalized communities to participate in decision-making processes that affect their lives.

Case Study
In Maharashtra, especially Gadchiroli district, this is evident in terms of the emergence of these structures. *Menda Lekha* village in Gadchiroli district is a pioneer in community-led conservation efforts. It has set an example for other villages by claiming rights over forest resources and setting up community forest management committees.
The role of local level NGO "*Amhi amchya arogyasathi*(AAA)" has also been instrumental in supporting community-led initiatives in Gadchiroli district. Thus, the emergence of alternative democratic structures at the grassroots level is critical to protecting and promoting the rights of the FTC. Maharashtra has shown promising progress in this regard and the role of NGOs like "*Amhi amchya arogyasathi*(AAA)" has been crucial in supporting these initiatives. The emergence of these alternative democratic structures represents a shift towards a more participatory and inclusive approach to governance, allowing communities to take control of their local resources, assert their rights, and challenge the dominance of extremist groups. For example, the emergence of CFMRC and Gram Jungle Adhyayan Mandal indicates that local communities are taking proactive measures to manage their forests and save their livelihoods. The rise of the Maha Gram Sabha and Sarpanch Sanghatana / Federation of Sarpanchs indicates that communities are coming together to address common problems and concerns, leading to more effective local governance.
Source: Insights from fieldwork

Table 43: How the patterns of new transformative alternative democratic local governance structures are governed? (N:1120)

Sr.no	New transformative alternative democratic local governance structures	Responses	States	
			Maharashtra	**Chhattisgarh**
1	Are they Informal functions with collective trust and social accountability?	Yes	96.3%	68.8%
		No	3.7%	31.2%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
2	Do they have a formally structured pattern of the executive body?	Yes	85.4%	57.1%
		No	14.6%	42.9%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
3		Yes	22.7%	50.0%

	Are they formed with a commercial interest and or political?	No	77.3%	50.0%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
4	Are they believe in community communication and organizes public hearing/ jansunwai on crucial public matters?	Yes	67.5%	59.8%
		No	32.5%	40.2%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
5	Are their office bearers have rules to function in specific roles and maintain minutes of the meetings?	Yes	94.6%	47.3%
		No	5.4%	52.7%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
6	Whether the executive body gets change after a certain duration and provides equal opportunity to other members democratically.	Yes	46.4%	78.6%
		No	53.6%	21.4%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**
7	Do they provide equal opportunity to women members in all levels of governance?	Yes	97.3%	56.2%
		No	2.7%	42.9%
		No answer	0.0%	0.0%
		Total	**100%**	**100%**

Source: Primary data

Independent India opted for a federal system of governance based on an electoral political democracy modeled after the British parliamentary system (Ahmed,2017). In 1957, based on the recommendations of a government committee Balwant Rai Mehta Committee democratic decentralization was envisaged in the form of a three-tier Panchayati Raj system which in the 1960s was adopted by all states (Brahmanandam 2018). However, envisioned as a means of attaining direct democracy, panchayats have been condensed to an extension of political parties, fuelled by favouritism and authoritarianism in society and further fuelling their own power and control. Particularly the issues of tribal and forest communities are altogether different and therefore Acts like FRA and PESA have been enacted. Initially, due to a lack of awareness and strategic counter to gain their own rights, few alternative structures have emerged. Table no 44 explores how the patterns of new transformative alternative democratic local governance structures are governed in the select study villages. There is a total of seven such patterns that have been identified to operate at the local level, its nature and function are distinctive depending upon the local issues and demands.

Out of seven unique patterns, three patterns have been given utmost priority such as: providing equal opportunity to women members in all levels of governance (Maharashtra 97.3% and Chhattisgarh 56.2%); functions informally with collective trust and social accountability (Maharashtra 96.3% and Chhattisgarh 68.8%); office bearers have rules to function in specific roles and maintain minutes of the meetings (Maharashtra 94.6% and Chhattisgarh 47.3%);
apart from these crucial patterns community communication and organizing public hearing/ *jansunwai* on crucial public matters and democratically shifting in the executive body after a certain duration and providing equal opportunity to other members are two other pro-people patterns instituted in these alternative structures.

Table 44: Did you observe the significance of new transformative alternative democratic local governance structures that helps in protecting and promoting the inherent human rights of FTCs? **(N: 1120)**

Sr.no	Significance of new transformative alternative democratic local governance structures	Responses	States	
			Maharashtra	Chhattisgarh
1	Emerging as platforms to oppose anti-policies related to tribal-forest communities	Considerably observed	44.6%	32.2%
		Somewhat observed	34.8%	41.7%
		Not much observed	15.2%	14.6%
		Not at all observed	5.4%	11.5%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Preparing rules and strategies for protecting rights related to forest, livelihood and economic resources	Considerably observed	56.6%	47.3%
		Somewhat observed	39.3%	46.4%
		Not much observed	1.4%	5.4%
		Not at all observed	2.7%	0.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
3	Helps to protect and conserve forests from the small and large corporations having a pure capitalistic intention	Considerably observed	47.3%	20.3%
		Somewhat observed	45.5%	22.0%
		Not much observed	4.5%	39.0%
		Not at all observed	2.7%	18.6%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
4	Helps to Prevent a large-scale exploitation of the Adivasis	Considerably observed	51.5%	30.4%
		Somewhat observed	14.6%	48.2%
		Not much observed	13.6%	13.4%
		Not at all observed	20.3%	8.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
5	helps GP/GS as a supportive democratic alternative institution and think tank/knowledge base	Considerably observed	35.7%	17.6%
		Somewhat observed	37.5%	44.4%
		Not much observed	19.6%	19.3%
		Not at all observed	7.1%	18.3%
		Not Answer	0.0%	0.3%
		Total:	**100%**	100%
6	Collectively opposes towards the violation of the rights of the FTCs under the PESA-FRA and creates awareness of both acts.	Considerably observed	43.4%	54.5%
		Somewhat observed	52.9%	23.2%
		Not much observed	2.4%	6.2%
		Not at all observed	0.7%	16.1%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**

7	Questioning the mainstream development models and centralized decision-making of the state	Considerably observed	16.9%	17.9%
		Somewhat observed	8.5%	42.0%
		Not much observed	42.4%	30.4%
		Not at all observed	31.5%	9.8%
		Not Answer	0.7%	0.0%
		Total:	**100%**	**100%**
8	Become a support group for women facing oppression and violence within the family or community and providing opportunities at local self-governance	Considerably observed	47.8%	24.1%
		Somewhat observed	32.9%	42.9%
		Not much observed	5.1%	25.0%
		Not at all observed	14.2%	8.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
9	Community mobilization to make the state institutions, particularly the administrative institutions, accountable.	Considerably observed	22.0%	14.4%
		Somewhat observed	40.0%	45.9%
		Not much observed	18.0%	20.7%
		Not at all observed	19.7%	18.9%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**
10	Initiated collective discussions on the role, powers, rights, and responsibilities of a Gram sabha	Considerably observed	44.7%	32.1%
		Somewhat observed	51.5%	41.1%
		Not much observed	1.0%	18.8%
		Not at all observed	2.7%	8.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
11	Acts as a pressure group on all issues related to local well-being.	Considerably observed	21.4%	22.3%
		Somewhat observed	54.9%	50.0%
		Not much observed	6.4%	9.8%
		Not at all observed	17.3%	17.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

Table no 44 indicates the significance of new transformative alternative democratic local governance structures that helps in protecting and promoting the inherent human rights of FTCs in the selected study villages. Based on the field insights the respondents have replied to almost eleven crucial significances. As far as the most significant outcome of these alternative structures is concerned a vast majority of respondents have been given fondness to; Preparing rules and strategies for protecting rights related to forest, livelihood, and economic resources (Maharashtra 56.6 % and Chhattisgarh 47.3 %); Helps to Prevent a large-scale exploitation of the Adivasis (Maharashtra 51.5 % and Chhattisgarh 30.4 %); Become a support group for women facing oppression and violence within the family or community and providing opportunity at local self-governance(Maharashtra 47.8 % and Chhattisgarh 24.1 %); Initiated collective discussions on the role, powers, rights and responsibilities of a Gram sabha(Maharashtra 44.7% and Chhattisgarh 32.1%) respectively. However, if we observe all the enlisted significances, it appears that these alternative structures have created a deep impact

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on local masses and assisted Gram sabhas to perform their duties much more strategically and professionally and ultimately emerging as means of alternative structures to protect and promote human rights of tribal and forest communities.

<div align="center">Section-V</div>

To examine multiple challenges encountered by local-self-governance institutions in instituting and promoting human rights especially under the hostile environment due to extremist actions and alternative strategies for an active engagement of FTC to take ownership towards their development and human rights at the grassroots level.

Table 45: How important do you think are the determining factors for instituting and promoting the human rights and development process by the GP and GS at the local level? **(N:1120)**

Sr.no	Variables	Responses	States	
			Maharashtra	Chhattisgarh
1	Illiteracy, poverty, and traditional mindset	Highly determining factor	59.3%	49.1%
		Moderately determining factor	38.3%	13.4%
		Least determining factor	1.7%	14.3%
		Not at all determining factor	0.7%	23.2%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Presence of an extremist environment	Highly determining factor	34.2%	45.5%
		Moderately determining factor	48.5%	25.9%
		Least determining factor	4.7%	12.5%
		Not at all determining factor	12.5%	16.1%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
3	Isolated geographical location and remoteness	Highly determining factor	30.5%	14.3%
		Moderately determining factor	14.9%	33.9%
		Least determining factor	46.1%	37.5%
		Not at all determining factor	7.5%	14.3%
		Not Answer	1.0%	0.0%
		Total:	**100%**	**100%**

4	Bureaucratic apathy at the district administration	Highly determining factor	11.9%	21.4%
		Moderately determining factor	11.9%	42.9%
		Least determining factor	53.9%	10.7%
		Not at all determining factor	22.4%	25.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

Determining factors mentioned in the table above played a significant role in decreasing awareness among people about human rights and the development process by Gram Panchayats and Gram Sabha in the local areas. The above table no 45 demonstrates a comparative study between Maharashtra and Chhattisgarh that shows how the determining factors such as illiteracy, poverty, and traditional or prejudiced mindset become obstacles in promoting and instituting human rights among the local people and the development process. The percentage of highly determining factors is 59.3 %, moderately determining factor is 38.3 %, the least determining factor is 1.7%, and not determining factor is 0.7 in Maharashtra. Highly determining factors is 47.1%, moderately determining factors is 16.4% and least determining factor is 14.3%, and not all determining factor is 23.2 in Chhattisgarh. This study shows a variable percentage of determining factors in the awareness in the two states of Maharashtra and Chhattisgarh. The determining factors in both states dominantly played a pivotal role in decreasing the importance of human rights among the people and the development process initiated by Gram Panchayats and Gram Sabha at the local level. Maharashtra is more affected at all levels as high, moderate, least, and not all determining factors to Chhattisgarh about human rights alertness and development process by GP -GS at the local level. The presence of an extremist environment is a cause of lessening awareness of human rights among people and the development process initiated by GP-GS at the local level. The above table explains the percentage of the extremist environment that has created issues in the development and awareness of human rights and their importance in the lives of local people. The presence of extremist environment in Maharashtra in the percentage of high determining factors is 34.2 %, moderately determining factors is 48.5%, least determining factor is 4.7 %, and not at all determining factor is 12.5. The high determining factor is 45.5%, the moderately determining factor is 25.9%, the least determining factor is 12.5%, and the not at all determining factor is 16.1 in Chhattisgarh. This demonstrates the disparity at a different level in the presence of extremist environmental factors in Maharashtra and Chhattisgarh. The high determining factor of the presence of an extremist environment in Chhattisgarh is 11.3% higher than in Maharashtra, while the moderately determining factor in Maharashtra is 48.5 and in Chhattisgarh has a low percentage of 23.4%. The least determining factor is 4.7 while Chhattisgarh has a high of 8.2% and not at all determining factor has a 3.4% gap between these states, Maharashtra has 12.5, and Chhattisgarh has 16.1%. It shows that Chhattisgarh has more the presence of an extremist environment in three determining factors than Maharashtra. Moderately determining factor is high in Maharashtra.

Chhattisgarh has been occupied the most by the presence of an extremist environment than Maharashtra, so that, Chhattisgarh's people are perhaps not aware of human rights, and the development process also got interrupted due to the interference of extremists in the affair of GP-GS at the local level in compare to Maharashtra people. The third element from the above table is isolated geographical location and remoteness and how this area has been affected due to isolation and remoteness from the promoting and instituting the human rights and development process by GP-GS at the local and remote areas as well. There is differentiation in determining factors in the making awareness among local communities and development process by GP-GS at the local level. It shows that the Highly determining factor is 30.5%, the moderately determining factor is 14.9%, the least determining factor is 46.1 and the not at all determining factor is 7.5 and, the not answer factor is 1.00% in the state of Maharashtra, while highly determining factor is 14.3%, moderately determining factor is 33.9%, least determining factor is 37.5% and not at all determining factor is 14.3% in the state of Chhattisgarh. In spite of the differentiation in determining factors in instituting the human rights and development process by GP-GS at the local level, the highly determining factor and least determining factors are higher in Maharashtra than in Chhattisgarh. However, moderately determining and not determining factor data demonstrates greater in Chhattisgarh than in Maharashtra. In a nutshell, it shows that being isolated geographical location and remoteness from developed cities and administration. Therefore, the isolated geographically located, and remoted communities have been affected in promoting and instituting the human rights and development process by GP-GS at the local level.

Table 46: What are the important crucial challenges that your GP-GS faces under the tensed-extremist environment? **(N: 1120)**

Sr.no	Crucial challenges	Responses	States	
			Maharashtra	Chhattisgarh
1	GP-GS facing problems performing its constitutional duties due to a lack of a free and fair environment	Highly crucial challenge	24.1%	31.2%
		Moderately crucial challenge	16.6%	26.8%
		Least crucial challenge	17.6%	17.9%
		Not at all a crucial challenge	19.3%	10.7%
		do not say	22.4%	13.4%
		Not Answer	0.0%	0.0%
		Total	**100%**	**100%**
2	GP-GS executive members are always under fear and trauma	Highly crucial challenge	11.5%	9.8%
		Moderately crucial challenge	7.5%	30.4%
		Least crucial challenge	18.3%	34.8%
		Not at all a crucial challenge	56.9%	23.2%
		do not say	5.1%	0.9%

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		Not Answer	0.7%	0.9%
		Total:	**100%**	**100%**
3	Loss of democratic and peaceful environment at the local governance system	Highly crucial challenge	3.1%	13.4%
		Moderately crucial challenge	11.5%	25.0%
		Least crucial challenge	54.6%	35.7%
		Not at all a crucial challenge	26.4%	12.5%
		do not say	4.1%	12.5%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**
4	Missing of democratic and peaceful environment in the local governance system	Highly crucial challenge	0.7%	21.4%
		Moderately crucial challenge	21.7%	26.8%
		Least crucial challenge	36.6%	38.4%
		Not at all a crucial challenge	37.3%	12.5%
		do not say	3.1%	0.0%
		Not Answer	0.7%	0.9%
		Total:	**100%**	**100%**
5	Fear from both sides (state and extremist) to become a victim	Highly crucial challenge	0.0%	18.8%
		Moderately crucial challenge	26.1%	39.3%
		Least crucial challenge	44.1%	18.8%
		Not at all a crucial challenge	23.4%	7.1%
		do not say	6.1%	15.2%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**
6	Breakdown of public services to supply basic human rights of FTC	Highly crucial challenge	5.8%	17.9%
		Moderately crucial challenge	51.2%	25.9%
		Least crucial challenge	26.8%	33.9%
		Not at all a crucial challenge	11.2%	17.0%
		do not say	4.7%	4.5%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**

7	Serious difficulties in effectively implementing crucial pro-public programs like PESA; FRA; MGNERGA; PDS	Highly crucial challenge	2.0%	44.6%
		Moderately crucial challenge	48.5%	9.8%
		Least crucial challenge	28.8%	11.6%
		Not at all a crucial challenge	16.9%	22.3%
		do not say	3.4%	10.7%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**
8	Maintaining mutual trust and common understanding among the villagers and GP-GS is day-by-day challenging	Highly crucial challenge	21.0%	33.9%
		Moderately crucial challenge	23.7%	24.1%
		Least crucial challenge	39.3%	20.5%
		Not at all a crucial challenge	13.6%	19.6%
		do not say	2.0%	0.9%
		Not Answer	0.3%	0.9%
		Total:	**100%**	**100%**
9	Social tensions will lead to a feeling of injustice among the common villagers	Highly crucial challenge	3.4%	36.6%
		Moderately crucial challenge	50.8%	25.9%
		Least crucial challenge	27.1%	19.6%
		Not at all a crucial challenge	12.2%	14.3%
		do not say	5.4%	2.7%
		Not Answer	1.0%	0.9%
		Total:	**100%**	**100%**
10	Tensions and distress if not managed properly lead to problems of poverty and alienation or marginalization of entire communities from the democratic processes	Highly crucial challenge	2.7%	14.3%
		Moderately crucial challenge	48.8%	42.0%
		Least crucial challenge	29.2%	24.1%
		Not at all a crucial challenge	10.2%	9.8%
		do not say	9.2%	8.0%
		Not Answer	0.0%	1.8%
		Total:	**100%**	**100%**
11	The fragment/wasted groups seek to capture the power of local	Highly crucial challenge	0.7%	17.0%
		Moderately crucial challenge	33.9%	31.2%

administration to control the local social settings	Least crucial challenge	45.1%	22.3%
	Not at all a crucial challenge	18.0%	15.2%
	do not say	2.4%	14.3%
	Not Answer	0.0%	0.0%
	Total:	**100%**	**100%**

Source: Primary data

GP-GS are facing problems in performing their constitutional duties due to a lack of a free and fair environment under the tense extremist environment. The local governing system is affected by the tense extremist groups that have interrupted the GP-GS entrusted duties at the local level. The above table no 46 gives a percentage of this challenge has measured with different categories such as highly crucial challenge, moderate challenge, etc. The percentage of highly crucial challenges is 24.1%; the moderate crucial challenge is 16.6%; the least crucial challenge is 17.6%; the not at all crucial challenge is 19.3% and the do not say is 22.4% from Maharashtra. The highly crucial challenge is 31.2%; the moderate crucial challenge is 28.8%; the least crucial challenge is 17.9%; the not at all crucial challenge is 10.7% and the do not say is 13.4% from Chhattisgarh. The above percentage of highly crucial challenges and moderate crucial challenges show that Chhattisgarh has more challenges of this than Maharashtra. The tense extremist environment has highly dominated Chhattisgarh. Because of this GP-GS has been facing issues in performing entrusted duties to develop the local people and enlightening them about human rights in the local areas.

The second issue is GP-GS executive members are always under fear and trauma due to the interference by the tense extremist environment. The tense extremist environment has created domination and terror among GP-GS administrative functions and its executive personnel. Because of this, the executive members are always in fear and trauma. It is a big challenge for them to be free from such an additional burden. The above table explains how and what percentage of executive members are under fear and trauma due to the extremist environment and their interference in the functional body of GP-GS at the local level. The percentage of highly crucial challenges is 11.5%; the moderate crucial challenge is 7.5; the least crucial challenge is 18.3%; not at all crucial challenge is 56.9%; do not say is 5.1 and not answered is 0.7 from the state of Maharashtra. The percentage of the highly crucial challenge is 9.8%; the moderate crucial challenge is 30.4%; the least crucial challenge is 34.8%; not at all challenge is 23.2% and not to say the challenge is 0.9% and not answer is 0.9% from the state of Chhattisgarh.

Both states do not have a high percentage of highly crucial challenges of tense extremist environment and there is a considerable difference between the moderate crucial challenge of Maharashtra and Chhattisgarh. It is highly significant that not at all crucial challenge has the highest percentage compared to other determining factors. It shows that executive members of GP-GS are not under that much fear and trauma. They are under fear and trauma since they have been suppressed by the extremist environment, but the intensity of it is normalized.

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The third and most crucial point is the loss of a democratic and peaceful environment from the local governance system. The percentage of highly crucial challenges is 3.1%; the moderate crucial challenge is 11.5%; the least crucial challenge is 54.6%; not at all crucial challenge is 26.4%; do not to say is 4.1% and not answered is 0.3% from the state of Maharashtra. The highly crucial challenge is 13.4%; the moderate crucial challenge is 25.0%; the least crucial challenge is 35.7%; not at all challenge is 12.5% and not to say the challenge is 12.5% and not answer is 0.9% from the state of Chhattisgarh. This table shows that the loss of a democratic and peaceful environment is a pertaining issue in the state of Chhattisgarh than Maharashtra. There is a difference between these two states' regarding percentage of highly crucial challenging 3.1% from Maharashtra and 13.4% from the Chhattisgarh. Other variables show that the least crucial challenge and not at all crucial challenge have high percentage in both states. Therefore, the loss of a democratic and peaceful environment is not a crucial issue in the development of local people. There is certainly an issue of a democratic and peaceful environment but its intensity has been decreased. It is a good sign that the local GP-GS bodies have a healthy atmosphere to have a favourable situation for the development of the local people.

The fourth point in this study is missing the democratic and peaceful environment in the local governance system. To have a development in any section or any field it is necessary to have a democratic and peaceful environment. The percentage of highly crucial challenges of this missing democratic and peaceful environment is 0.7%; the moderate crucial challenge is 21.7%; the least crucial challenge is 36.6%; not at all crucial challenge is 37.3%; do not to say is 3.1% and not answered is 0.7% from the state of Maharashtra. The percentage of the highly crucial challenge is 21.4%; the moderate crucial challenge is 26.8%; the least crucial challenge is 38.4%; not at all challenge is 12.5% and not to say the challenge is 0.0% and not answer is 0.9% the state of Chhattisgarh. A missing democratic and peaceful environment is certainly surfaced in the function of administration of GP-GS at the local level due to the domination of an extremist environment but it is worked in the minor. The highly crucial challenge has a high percentage of 21.4% from Chhattisgarh while only 0.7 from Maharashtra. The least crucial challenge and not at all challenge have varied but high percentages are 36.6% and 37.3% from Maharashtra. The least crucial challenge and not at all crucial challenge have varied but a high percentage of 38.4% and 12.5% from Chhattisgarh too. It shows that missing a democratic and peaceful environment is a trivial issue in the development of local people.

The fifth point in this study is fear from both sides (state and extremist) to become a victim. The conflict between the state and extremist movements had been going on for a long time and that affected the development of remote and tribal areas where extremist movements are dominated. Consequently, it has affected the lives of the local dwellers and the local governing system, especially GP-GS. They are at the bottom of the process of development. However, by the domination of extremists and suppressive policies by the state they have been subjugated. The percentage of highly crucial challenges of this fear of both sides (state and extremist) in becoming the local governing system victim is 0.0%; the moderate crucial challenge is 26.1%; the least crucial challenge is 44.1%; not at all crucial challenge is 23.4%; do not to say is 6.1% and not answered is 0.3% from the state of Maharashtra. The percentage of highly crucial challenges is 18.8%; the moderate crucial challenge is 39.3%; the least crucial challenge is

18.8%; not at all challenge is 7.1% and not to say the challenge is 15.2% and not answer is 0.9% from the state of Chhattisgarh. It says that fear from both sides is not much significant in Maharashtra compared to Chhattisgarh. The highly crucial challenge percentage is 0.0%; the least challenge percentage is 44.1%; not at all challenge is 15.2 from Maharashtra. It shows that the tension of fear in the local governing system is not a big deal. But it is a little tough challenge in Chhattisgarh. The highly crucial challenge is 18.8%; the moderate crucial challenge is 39.3%; the least crucial challenge is 18.8% from Chhattisgarh. This data shows that GP-GS has been struggling with this issue of fear from both sides of the state and extremists.

The breakdown of public services to supply the basic human rights of FTC is due to a tense extremist environment. The extremist groups of people have created trouble to have a smooth and peaceful public service to supply the basic human rights of FTC. The fifth data table provides the percentage of the breakdown of public services to supply the basic human rights of FTC. The highly crucial challenge percentage is 5.8%; the moderate crucial challenge is 51.2%; the least crucial challenge is 26.8%; the not at all crucial challenge is 11.2%; do not say is 4.7% and not answered is 0.3% from Maharashtra. The percentage of the highly crucial challenge is 17.9%; the moderate crucial challenge is 25.9%; the least crucial challenge is 33.9%; not at all challenge is 17.0% and not to say the challenge is 4.5% and not answer is 0.9% from the state of Chhattisgarh. The table shows that the breakdown of public service to supply basic \human rights of FTC is not a big issue means extremists to some degree have created a problem in the process of providing basic public human rights of FTE among the local people at local.

There are serious difficulties in effectively implementing crucial pro-public programs like PESA; FRA; MGNERGA; PDS. The tense extremist environment has disturbed harmony and smooth flow in the function of GP-GS at the local level. The percentage of difficulties in implementing pro-public programs like PESA, and FRA, MGNERGA; PDS at tribal and forest dweller communities shows further. The highly crucial challenge has a percentage of 2.0%, the moderate crucial challenge has 48.5%, the least crucial challenge has 28.8%, not at all challenge has 16.9%, do not say has 3.4% and not answered has 0.3% from Maharashtra. The highly crucial challenge has a percentage of 44.6%, the moderate crucial challenge has 9.8%, the least crucial challenge has 11.6%, not at all challenge has 22.3%, do not say has 10.7% and the not answered has 0.9% from Chhattisgarh. The presented data show a contrasting picture while putting them into a comparison between Chhattisgarh and Maharashtra. Maharashtra does not have a big issue with the implementation of pro-public programs than Chhattisgarh which has difficulties with the implementation of pro-public programs. Chhattisgarh has 44.6% while Maharashtra has only 2.0% of the highly crucial challenge in the implementation of pro-public programs like PESA, FRA, MGNERGA, and PDS. Maintaining mutual trust and common understanding among the villagers and GP-GS is day-by-day challenging. Due to the interference of an extremist group of people in the affair of GP-GS, many activities are interrupted and they do not have a faithful and cooperative relation among the people from the village. Therefore, they are unable to maintain mutual trust and common understanding among the villagers and GP-GS members. The highly crucial challenge has a percentage of 21.0%, the moderate crucial challenge has 23.7%, the least crucial challenge has 39.3%, not at all

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challenge has 13.6%, do not say 2.0%, and not answered has 0.3% from Maharashtra. The highly crucial challenge has a percentage of 33.9%, the moderate crucial challenge has 24.1%, the least crucial challenge has 20.5%, the not at all challenge has 19.6%, do not say has 0.9% and not answered has 0.9% from Chhattisgarh. The present table delineates a comparative analysis between Maharashtra and Chhattisgarh and both have highly crucial challenges 21.0% and 33.9%, respectively. Thus, GP-GS struggles to have a mutual and faithful understanding among villagers. However, the moderate and least crucial challenges have a little bit of higher percentage than the highly crucial challenges from both states. Social tensions will lead to a feeling of injustice among the common villagers because of the lack of freedom, opportunity, and accessibility for common villagers. They have been obsessed with the unhealthy extremist environment; therefore, they are feeling insecurity, injustice, and being politically suppressed. The percentage of the highly crucial challenge is 3.4%; the moderate crucial challenge is 50.8%; the least crucial challenge is 27.1%; not at all crucial challenge is 12.2%; do not to say is 5.4% and not answered is 1.0% from the state of Maharashtra. The percentage of the highly crucial challenge is 36.6%; the moderate crucial challenge is 25.9%; the least crucial challenge is 19.6%; not at all challenge is 14.3% and not to say the challenge is 2.7% and not answer is 0.9% from the state of Chhattisgarh. the data shows that Maharashtra does not have an issue with social tension and the feeling of injustice as Chhattisgarh has. Highly crucial challenge has 36.6% from Chhattisgarh while Maharashtra has only 3.4% and there is also a considerable difference between Maharashtra and Chhattisgarh's percentage of moderate crucial challenge and least crucial challenge. It too shows that Chhattisgarh is concerned with the issue of social injustice and feelings of insecurity among the common people at the GP-GS affair and local level. Tensions and distress if not managed properly lead to problems of poverty and alienation or marginalization of entire communities from the democratic processes. Management is a central force to get the expected result otherwise there will be anarchy, tension and ultimately mismanagement leads toward ruin. To give justice to the marginalized communities in a democratic state, welfare policies for them must be designed; law and administrative systems must be operated with an idea of unbiased and justice. The tribal communities are located far off from mainstream society and developed cities and their areas are haunted by the domination of extremist groups of people. The data on tension and distress among marginalized communities by mismanagement is as follows. The percentage of the highly crucial challenge is 2.7%; the moderate crucial challenge is 48.8%; the least crucial challenge is 29.2%; not at all crucial challenge is 10.2%; do not to say is 9.2% and not answered is 0.0% from the state of Maharashtra. The percentage of highly crucial challenges is 14.3%; the moderate crucial challenge is 42.0%; the least crucial challenge is 24.1%; not at all challenge is 9.8% and not to say the challenge is 8.0% and not answer is 1.8% from the state of Chhattisgarh. This data shows that marginalized communities are facing the highly crucial challenge of tension and distress due to mismanagement 14.3 % from Chhattisgarh. On the other hand, we see the percentage of highly crucial challenges of this is only 2.7% from Maharashtra. There is a huge difference between these two states while looking at highly crucial challenges. However, the data of moderate, least, and do not say crucial challenges show that there is no considerable difference in percentage between these two states but the percentage of all these variations is high. Therefore, it is a challenging issue for marginalized communities. The fragment/wasted groups seek to capture the power of local administration to control the local social settings.

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Due to a lack of knowledge, information, and guidance and not attention paid by the state to the local people and its mechanism, the people who dwelled in forests and on the outskirts of cities are not developed. To examine the data from the table of eleventh which will show how many people are engaged illegally in capturing the power of GP-GS. The percentage of highly crucial challenges is 0.7%; the moderate crucial challenge is 33.9%; the least crucial challenge is 45.1%; not at all crucial challenge is 18.0%; do not to say is 2.4% and not answered is 0.0% from the state of Maharashtra. The percentage of the highly crucial challenge is 17.0%; the moderate crucial challenge is 31.1%; the least crucial challenge is 22.3%; not at all challenge is 15.2% and not to say the challenge is 14.3% and not answer is 0.0% from the state of Chhattisgarh. It shows that perhaps a high percentage of the vagrant people are in the temptation to capture the power of local administration to control the local social settings from Chhattisgarh than Maharashtra.

Table 47: What are the alternative strategies for an active engagement of FTC to take ownership of their development and human rights at the grassroots level initiated by GP and GS? **(N:1120)**

Sr.no	Alternative strategies	Responses	States	
			Maharashtra	**Chhattisgarh**
1	Locally and culturally relevant strategies adopted by GS-GP to resolve and settle human rights issues jan (human); jal(water); janwar(animals); jangal(forest); jameen (land)	Effectively implemented	66.4%	55.4%
		Partially implemented	30.8%	29.5%
		Least implemented	2.7%	4.5%
		Not at all implemented	0.0%	10.7%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
2	Effective methods of participatory local governance adopted by GP-GS help to create mutual trust, awareness among the villagers to fulfil basic human rights and strengthen democratic process	Effectively implemented	40.3%	38.7%
		Partially implemented	49.2%	36.0%
		Least implemented	10.5%	12.6%
		Not at all implemented	0.0%	12.6%
		Not Answer	0.0%	0.90%
		Total:	**100%**	**100%**
3	GP-GS facilitated favourable conditions to establish multiple alternative democratic structures at local level and incorporated suggestions made by such alternatives	Effectively implemented	55.8%	20.5%
		Partially implemented	32.3%	50.9%
		Least implemented	11.2%	17.9%
		Not at all implemented	0.7%	5.4%
		Not Answer	0.30%	5.4%
		Total:	**100%**	**100%**
4	Integrated efforts to effectively implement	Effectively implemented	66.1%	58.0%

	crucial pro-public programs like PESA; FRA; MGNERGA; PDS etc	Partially implemented	27.5%	36.6%
		Least implemented	2.0%	5.4%
		Not at all implemented	4.4%	0.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
5	inclusion of and due recognition to suggestions made by local social leaders in all affairs of local governance with regard to primary issues related to human rights	Effectively implemented	33.6%	65.2%
		Partially implemented	31.9%	28.6%
		Least implemented	32.9%	5.4%
		Not at all implemented	1.7%	0.9%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
6	Efforts to minimize excessive policing	Effectively implemented	27.1%	9.8%
		Partially implemented	38.3%	43.8%
		Least implemented	28.8%	25.9%
		Not at all implemented	5.8%	20.5%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
7	effective implementation of grievances of villagers with forest and district administration	Effectively implemented	18.0%	15.2%
		Partially implemented	2.0%	37.5%
		Least implemented	20.0%	25.9%
		Not at all implemented	59.7%	21.4%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
8	transparent, accountable governance based on the rule of law	Effectively implemented	25.4%	19.6%
		Partially implemented	40.7%	29.5%
		Least implemented	10.8%	29.5%
		Not at all implemented	23.1%	21.4%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
9	Corruption free administration	Effectively implemented	46.8%	8.0%
		Partially implemented	22.4%	29.5%
		Least implemented	1.7%	20.5%

		Not at all implemented	29.2%	42.0%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**
10	implementation of non-violent, Gram-swaraj; self-rule-based Gandhian philosophy in the local governance	Effectively implemented	34.2%	45.5%
		Partially implemented	5.8%	24.1%
		Least implemented	39.0%	20.5%
		Not at all implemented	20.7%	9.8%
		Not Answer	0.3%	0.0%
		Total:	**100%**	**100%**
11	Persistence inclusive multi-stakeholder dialogue helps to create trust and collectivism for democratic governance	Effectively implemented	20.3%	40.2%
		Partially implemented	51.9%	19.6%
		Least implemented	12.5%	23.2%
		Not at all implemented	15.3%	16.1%
		Not Answer	0.0%	0.9%
		Total:	**100%**	**100%**
12	Active involvement of women and youth in all affairs of local governance	Effectively implemented	60.7%	39.3%
		Partially implemented	20.7%	44.6%
		Least implemented	9.2%	11.6%
		Not at all implemented	8.8%	3.6%
		Not Answer	0.7%	0.9%
		Total:	**100%**	**100%**
13	Involvement of NGOs; CBOs and socially relevant democratic groups	Effectively implemented	42.4%	39.3%
		Partially implemented	28.8%	13.4%
		Least implemented	28.5%	31.2%
		Not at all implemented	0.3%	16.1%
		Not Answer	0.0%	0.0%
		Total:	**100%**	**100%**

Source: Primary data

Human rights are natural rights that have to be protected, not to be violated; therefore, organizations and individual upholders working for human rights have been fighting for offering empowering rights to the deprived, weaker section of people, especially to the tribal and forest-dwelling communities. That was continuous till the enactment of FRA (Act 2006).

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By the act, the tribal and forest-dwelling communities have been empowered, the act has offered them many rights such as the right to protect their cultural customs, and conservative practices, dwell in the forest, and not be evicted from the place where they are living and protect their natural resources and sources for livelihood. In addition to this, the act has empowered GP-GS authority to make action plans, design policies and implement them for the development of these communities. The above table gives an idea of what degrees the tribal and forest communities (FTC) benefited from the acts like PESA, FRA, etc. Locally and culturally relevant strategies adopted by GS-GP to resolve and settle human rights issues jan (human); jal(water); janwar(animals); jangal(forest); jameen (land). To decentralize the power structure among the people, the government has enacted revolutionary acts like PESA and FRA. These two laws have brought a remarkable shift and transformation in the tribal and forest-located communities. Certain authorities have been given to the GP-GS at the tribal and forest communities and the members from these communities have a decisive say in the decision-making process. The GP-GS has to count their opinion in the decision-making process. To see how effectively GP-GS upholds the principles of human rights while sorting out the issues faced by the tribal and forest communities. The present data show how GP-GS is effectively implementing alternatives in protecting human rights while this institute sorting out the issues faced by these communities. The effectively implemented data shows that GP-GS has implemented 66.4% and 55.4% in Maharashtra and Chhattisgarh, respectively the strategic alternatives for an active engagement of FTC to take ownership of their development and protect human rights at the grassroots level. However, partially implemented data has 30.8% and 29.5% in Maharashtra and Chhattisgarh, respectively. It has a little concern. The least implemented and not at all implemented are not significant in its row of percentages, except 4.5% and 10.7 from Chhattisgarh. GP-GS has been playing a pivotal role in making the forest tribal communities to be involved in the process of their development and upholding human rights at the grassroots level.

Effective methods of participatory local governance are adopted by GP-GS to help to create mutual trust, and awareness among the villagers to fulfil basic human rights and strengthen the democratic process. To protect human rights, not to be violated, and strengthen democracy at the local level, the government has entrusted certain authorities and autonomous states to the GP-GS institute which is followed the methods of participatory local governance. Thus, the institute could propagate mutual trust, and awareness among the villagers to strengthen democracy and pursue and sustain human rights among them. Here, the above second table's data shows how effectively participatory local governance is working in its pursuit. Out of 100%, 40.3% and 38.7% are effectively implemented, 49.2% and 36.0% are partially implemented and the least implemented are only 10.5% and 12.6% from Maharashtra and Chhattisgarh, respectively. And not at all implemented is 12.6 in Chhattisgarh and nothing in Maharashtra. Around 40% of effective GP-GS have implemented participatory democracy in the local governance system.

GP-GS facilitated favorable conditions to establish multiple alternative democratic structures at the local level and incorporated suggestions made by such alternatives. For fair and smooth democratic local governance, participatory democracy is a crucial path in strengthening democracy itself. Therefore, the GP-GS has adopted many affirmative alternative democratic

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formats and incorporated many suggestions and participatory is one of the most significant aspects. The 55.8% and 20.5% are effectively implemented in Maharashtra and Chhattisgarh, respectively. Partially implemented 32.3% and 50.9% are implemented from Maharashtra and Chhattisgarh respectively. The least implemented are only 11.2% and 17.9% implemented from Maharashtra and Chhattisgarh, respectively. And not at all implemented and not answered have only 0.7% and 5.4% and, 0.30% and 5.4% from Maharashtra and Chhattisgarh, respectively. Effective implemented 55.8% from Maharashtra and partially implemented 50.9% from Chhattisgarh are comparatively high percentages with others.

Integrated efforts are made to effectively implement crucial pro-public programs like PESA; FRA; MGNERGA; PDS etc, for the development of tribal and forest dweller communities. The PESA, FRA, MGNERGA, and PDS are undeniable facts that emerged as instruments to bring transformation in the lives of tribal and forest communities which had been enacted throughout times through the Parliament, government of India. These enactments delegated certain power and decision-making authority to the GP-GS and members of the local communities for the development of local people. The members of these communities availed given rights to them to make their presence be counted in the process of GP-GS routine functions. The enactments made through PESA, FRA, MGNERGA, and PDS by the Indian Parliament are effectively implemented 66.1% and 58.0%; partially implemented 27.5% and 36.6% and; least implemented 4.4% and 0.0% from Maharashtra and Chhattisgarh, respectively are implemented in the development of tribal and forest communities. The effectively implemented determiner factor has the highest percentage in the implementation of these enactments in the developments of the local and tribal communities.

Inclusion of and due recognition to suggestions made by local social leaders in all affairs of local governance concerning primary issues related to human rights. To protect and promote human rights and to have a fair and smooth local governance system and nobody should be excluded from the stream of GP-GS activities and its decision-making process, the local social leaders and individual intelligence have always made suggestions to the GP-GS functionary bodies. And suggested the GP-GS no one should be excluded at any cost and claimed that everyone has equal rights, irrespective of their social, cultural, spiritual, and sex identities. The suggestions were made by social leaders and intelligent people in order to no one should be excluded from the process of GP-GS, are effectively implemented 33.6% and 65.2%; partially implemented 31.9 and 28.6%; least implemented 32.9% and 5.4% and, not at all implemented 1.7% and 0.9 from Maharashtra and Chhattisgarh, respectively. The suggestions were made by social leaders had been taken into account by GP-GS.

Efforts to minimise excessive policing in the areas of tribal and forest communities to make them feel we are free from the pressure of excessive policing and we are free to choose what we like or dislike regarding cultural customs, traditional livelihood, social and cultural behaviour, and conserve natural resources. The efforts were made by state and central governments to minimise excessive policing in the areas of forest tribal communities and efforts effectively implemented 27.1% and 9.3%; partially implemented 38.3% and 43.8%; least implemented 28.8% and 25.9% and not at all implemented 5.8% and 20.5% from the states of Maharashtra and Chhattisgarh, respectively. The tribal and forest communities are

operating in free space having effectively implemented 27.1% from the State of Maharashtra than Chhattisgarh which has implemented only 9.8%. The partially implemented rate is high 38.3% and 43.8% from both states of Maharashtra and Chhattisgarh, respectively. The least implemented rate is a little low than the partially implemented rate from both states. There is a dichotomy in the percentage rates between effectively implemented 27.1% and not at all implemented 5.8% from the state of Maharashtra. Effective implementation of grievances of villagers with forest and district administration. Forest tribal communities have been since long times going through many shortages due to the apathy of concerned agencies and statutory institutes toward their issues. These communities have issues like no roads; no connectivity, no school at local, no job opportunities, and no sources to access the advantages of transportation, knowledge, and other instrumental mechanism that could be a tool in their development. Now, these grievances of villagers with forest and district administration are trying to be sorted out by the concerned non-governmental and governmental bodies. Effectively implementation of grievances of villagers are effectively implemented 18.0% and 15.2%; partially implemented 2.0% and 37.5%; least implemented 20.0% and 25.9% and not at all implemented 59.7% and 21.4% and not answer 0.3% and 0.0% from the states of Maharashtra and Chhattisgarh, respectively. So the concerned bodies of resolving the grievances of villagers with forest and administration have to work profoundly to take away their grievances because the effectively implemented rate is so low than not at all implemented rate from the both states of Maharashtra and Chhattisgarh.

Transparent, accountable governance based on the rule of law. Forest tribal communities have many problems and shortages such as they are mostly uneducated, the area deprived where they are living, due to lack of attention from state agencies, lack of transportation due to lack of roads, and lack of sources for livelihood than dependency on traditional livelihood. Due to this, there is the possibility that authoritative bodies or personals may have arbitrariness in the accountability of governances and implementation of the law. Transparent, accountable governance based on the rule of law is effectively implemented 25.4% and 19.6%; partially implemented 40.7% and 29.5%; least implemented 10.8% and 29.5%; and not at all implemented 23.1% and 24.4% from Maharashtra and Chhattisgarh, respectively.

Corruption-free administration is the foremost challenge in current phenomena. Having certain authority and being authoritative, high positions authoritative personnel as well as other personnel from government offices are involved in no legal and corruption activities. Corruption-free administration is effectively implemented 46.8% and 8.0%; partially implemented 22.4% and 29.5%; least implemented 1.7% and 20.5%; not at all implemented 29.2% and 42.0% from Maharashtra and Chhattisgarh, respectively. There is a big difference between the rate of effective implementation between Maharashtra 46.8% and Chhattisgarh at only 8.0%. GP-GS in Chhattisgarh has to ponder seriously upon the corruption-free administration rate which is very low.

Implementation of non-violent, Gram-swaraj; self-rule-based Gandhian philosophy in the local governance. Establishing non-violent, Gram-swaraj; Self-rule based on Gandhian philosophy is another challenge for GP-GS and state and central governments, especially in the areas of forest tribal communities where the literacy rate is considerably low. Implementation of non-

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violent, Gram-swaraj-based Gandhian philosophy is effectively implemented 34.2% and 45.5; partially implemented 5.8% and 24.1; least implemented 39.0% and 20.5%; not at all implemented 20.7% and 9.8% from the states of Maharashtra and Chhattisgarh, respectively. Again, the above data shows a contradiction of effective implementation of self-rule GP-GS between Maharashtra 34.2% and Chhattisgarh 45.5 which effectively implemented corruption-free administration only 8.0%. If the GP-GS administration is not free from corruption how it could be effectively implemented 45.5% of a self-rule GP-GS based on Gandhian philosophy?

 Active involvement of women and youth in all affairs of local governance of GP-GS affairs. It is a general fact that most of the GP-GS are male-dominated and therefore, the participation of women is low while the participation of youth, now these days is increasing, in GP-GS is better than the women. Active involvement of women and youth in local governance is effectively implemented 60.7% and 39.3%; partially implementation 20.7% and 4.6%; least implementation 9.2% and 11.6% and not at all implementation 8.8% and 3.6% and not answer 0.7% and 0.9% from Maharashtra and Chhattisgarh, respectively. The rate of women and youth participation in all affairs of GP-GS is considerably high in Maharashtra than in Chhattisgarh but both have a good rate of their participation. There is a huge difference in the rate of partially implementation between Maharashtra and Chhattisgarh.

Persistence inclusive multi-stakeholder dialogue helps to create trust and collectivism for democratic governance. Dialogue is the soul of democracy and without it, democracy would not be sustained anywhere. Through dialogue, we could convince ourselves and pursue what we want. To have fair democratic governance dialogue is very crucial. It is quite certain persistence in inclusive multi-stakeholder dialogue creates trust among people and collectivism for democratic governance. This dialogue among inclusive multi-stakeholder for democratic governance is effectively implemented 20.3% and 40.2%; partially implemented 51.9% and 19.6%; least implementation 12.5% and 23.2%; not at all implemented 15.3% and 16.1%, and not answers 0.0% and 0.9% from the states of Maharashtra and Chhattisgarh, respectively. The effectively implementation rate of dialogue for democratic governance from Chhattisgarh is doubled that of Maharashtra. But the partially implementation rate in Maharashtra is much higher than in Chhattisgarh. For effective implementation of dialogue in democratic governance, Maharashtra has to work profoundly to strengthen democracy at the local level.

The involvement of NGOs; CBOs and socially relevant democratic groups in the GP-GS is highly significant for strengthening democracy at the grassroots level. Involvement of NGO; CBOs and socially relevant democratic groups in GP-GS affairs is effectively implemented 42.4% and 39.3%; partially implemented 28.8% and 13.4%; least implemented 28.5% and 31.2%; and not at all implementation 0.3% and 16.1% from the states of Maharashtra and Chhattisgarh, respectively. The involvement rate of NGOs, CBOs, and socially relevant democratic groups is significantly high and that is a good sign for the development of democracy at the grassroots level.

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Section-VI

To study the outcome and benefits of Gram Panchayats COVID governance strategies for promotion and protection of natural human rights of FTCs concerning to traditional livelihood/employment, customary businesses and health and food.

Natural calamities like the COVID-19 pandemic have exposed the lacunas in the top-down model of governance all over the world including India. In such a challenging circumstance, local self-governance institutions like gram panchayats and gram sabhas have acted as role models to others. Particularly in disseminating information, implementing preventive measures, providing alternative livelihoods, mobilizing resources, and providing relief to marginalized communities. Since one of the contiguous local-level governance institutions, Gram Sabha has the latent to be a dynamic public organization to protect and promote the human rights of local communities. This section aims to highlight the perspectives of individuals with regard to the role of gram sabhas and COVID-19 living in remote forests and their unique experiences in the tribal regions of Maharashtra and Chhattisgarh.

Table 48: Did you believe that during the crucial times of COVID whether gram sabha GS played an important role in the promotion and protection of natural human rights concerning traditional livelihood/employment, customary businesses, and health and food? **(N:1120)**

Sr.no	Key areas of intervention during COVID	Frequency	States	
			Maharashtra	**Chhattisgarh**
1	Traditional livelihood/employment	Strongly believe	39.0%	29.5%
		Partially believe	56.9%	42.0%
		Least believe	2.0%	12.5%
		Not at all believe	2.0%	16.0%
		Total:	**100%**	**100%**
2	Customary businesses	Strongly believe	33.6%	30.4%
		Partially believe	64.1%	42.9%
		Least believe	0.7%	14.3%
		Not at all believe	1.4%	12.5%
		Total:	**100%**	**100%**
3	Health and food	Strongly believe	26.8%	43.4%
		Partially believe	58.0%	53.6%
		Least believe	13.4%	1.4%
		Not at all believe	1.8%	0.7%
		Total:	**100%**	**100%**

Source: Primary data

Table no 48 explores the experiences of respondents regarding whether their gram sabha GS played an important role in the promotion and protection of natural human rights concerning traditional livelihood/employment, customary businesses, and health and food during the crucial times of COVID-19. It is appropriate to note that a majority of respondents either strongly and or partially believe that their respective gram sabhas extended an important role in the promotion and protection of natural human rights concerning traditional

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livelihood/employment, customary businesses, and health and food during the crucial times of COVID-19. Although there are three crucial key areas that have been identified respondents have strongly preferred Health and food (43.4 Chhattisgarh) and Traditional livelihood/employment (39.0% Maharashtra) as the focal areas of intervention. Likewise, respondents have also given greater significance to customary businesses (33.6 % Maharashtra) and (30.4% Chhattisgarh) respectively.

Case study

The COVID-19 epidemic has exposed a number of flaws in the top-down model of welfare planning and service implementation (OECD, 2020)[16]. At a time when epidemics are causing such great suffering, poverty, and human rights violations, it has also been observed that the local communities who have joined hands with the village councils (*Gram Sabhas*) are better aware of the local socio-economic complexities and human rights issues of the FTC than the local administration particularly while dealing with crisis situations between COVID-induced lockdown and post lockdown (ORF, 2020)[17]. Across India, more than 260,000 *Gram Panchayats*, according to their capacity and social capital, mobilized various grassroots actions against COVID-19. There is preliminary documented evidence from various parts of the country where empowered village assemblies (*Gram Sabhas*) under FRA-PESA emerged as a natural means of resilience in crises like Covid-19 by ensuring financial independence and protection of human rights from both social and financial contexts and proactively initiated a holistic COVID-19 governance plan well before local administration ORF (2020).

Table 49: What are the alternative livelihood options implemented by the GS during the crucial times of COVID? **(N:1120)**

Sr.no	Alternative livelihood options	Frequency	States	
			Maharashtra	Chhattisgarh
1	Initiated Forest fire line demarcation and forest patrolling to provide alternative livelihood	Strongly implemented	40.2%	32.1%
		Partially implemented	28.6%	38.4%
		Least implemented	17.0%	16.1%
		Not at all implemented	13.4%	12.5%
		Total:	**100%**	**100%**
2	Construction of water bodies and maintenance of traditional water channels	Strongly implemented	32.2%	44.6%
		Partially implemented	41.7%	34.8%
		Least implemented	14.6%	15.2%
		Not at all implemented	11.5%	5.4%
		Total:	**100%**	**100%**

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[16] OECD(2020) Social economy and the COVID-19 crisis: current and future roles; https://www.oecd.org/coronavirus/policy-responses/social-economy-and-the-covid-19-crisis-current-and-future-roles-f904b89f/

[17])Panchayats and pandemic; https://www.orfonline.org/expert-speak/panchayats-pandemic-65185/

3	Land leveling work on each family's private or CFRA land	Strongly implemented	30.4%	47.3%
		Partially implemented	48.2%	46.4%
		Least implemented	13.4%	5.4%
		Not at all implemented	8.0%	0.9%
		Total:	**100%**	**100%**
4	GS approved to use its own fund to provide alternative livelihood	Strongly implemented	51.5%	35.7%
		Partially implemented	14.6%	37.5%
		Least implemented	13.6%	19.6%
		Not at all implemented	20.3%	7.1%
		Total:	**100%**	**100%**
5	GP/GS helped to provide on-demand guaranteed job card facility under MGNERGA	Strongly implemented	43.4%	54.5%
		Partially implemented	52.9%	23.2%
		Least implemented	2.4%	6.2%
		Not at all implemented	0.7%	16.1%
		Total:	**100%**	**100%**
6	Equal wages to men and women and livelihood opportunities for migrant labourers	Strongly implemented	47.8%	48.2%
		Partially implemented	32.9%	30.4%
		Least implemented	5.1%	13.4%
		Not at all implemented	14.2%	8.0%
		Total:	**100%**	**100%**
7	Convergence of livelihood schemes sponsored by state and central government	Strongly implemented	44.7%	47.8%
		Partially implemented	51.5%	32.9%
		Least implemented	1.0%	14.2%
		Not at all implemented	2.7%	5.1%
		Total:	**100%**	**100%**
8	A forest pond and *Nistar* pond were made and fisheries businesses were initiated in these ponds for employment	Strongly implemented	16.9%	17.9%
		Partially implemented	8.5%	42.0%
		Least implemented	42.4%	30.4%
		Not at all implemented	31.5%	9.8%
		Total:	**100%**	**100%**
9	Tree plantation of a variety of MFPs and indigenous plants was undertaken following COVID-appropriate procurations	Strongly implemented	24.1%	14.4%
		Partially implemented	42.9%	45.9%
		Least implemented	25.0%	20.7%
		Not at all implemented	8.0%	18.9%
		Total:	**100%**	**100%**

Source: Primary data

Table no 49 provides an in-depth view of various alternative livelihood options implemented by the GS during the crucial times of COVID. In all total nine significant, locally relevant, and contextual alternative livelihood options have been adopted by the gram sabhas in the selected study areas. As compared to urban masses the tribal and forest communities faced severe impact of COVID-19. Almost 100 million Forest dwellers depend on various types of forest produce for food, shelter, Medicines, and cash income. The collection season for most of the

minor forest produces ideally falls during the months of April to June which coincided with the lockdown. COVID-19 destroyed their traditional livelihood patterns (Vikalp Sangam, 2022). Despite these problems gram sabhas either governed under FRA and or PESA demonstrated exemplary cases to protect the livelihood rights of forest and tribal communities. If we compare the responses of respondents from both states it reveals that the options are diverse which may be dependent upon local needs during the times of COVID however all the nine alternative livelihood options are unique. With regard to strongly implemented alternative livelihood initiatives in Maharashtra and Chhattisgarh state, the following are strongly preferred: GS approved to use its own fund to provide alternative livelihood (51.5 % Maharashtra and 35.7 % Chhattisgarh); Equal wages to men and women and livelihood opportunities for migrant laborers (47.8% Maharashtra and 48.2% Chhattisgarh); Convergence of livelihood schemes sponsored by state and central government(44.7% Maharashtra and 47.8% Chhattisgarh); GP/GS helped to provide on-demand guaranteed job card facility under MGNERGA(43.4% Maharashtra and 54.5%Chhattisgarh) respectively.

Case study

Protecting the economic and livelihood rights of FTCs:

i) A good example of Gram Sabha's collective bargaining and effective business management practices during COVID could be found in Gadchiroli. The Gram Panchayats have developed innovative strategies for marketing bamboo in the market with strong market linkages they have been able to sell one bundle of bamboo for INR 100 earlier it was INR 25 only. Around 85 % of Maharashtra's bamboo comes from Gadchiroli.

ii) As per Ballarpur Paper Mills, the sole buyer of Gadchiroli bamboo, the company stated that the ease of doing business was greater when dealing with the Gram Sabha than with the Forest Department.

iii) A major economic benefit is that the income of households in the villages of Chandrapur and Gadchiroli from kendu leaf harvesting has increased significantly in comparison to during the kendu leaf governance regime led by the forest department[18].

iv) Around 50-gram sabhas in the Gondia district of Maharashtra organized a federation that guaranteed competitive prices and bonuses for the communities for their product collection. It earned Rs 2.5 crore by selling *Tendupatta,* an MFP, while taking precautions against the spread of COVID-19(Tripathi, 2020)[19].

Source: primary data

Thus, it is important to note that during such a critical time when outside intervention was totally defunct, there was a gram sabha that prepared locally relevant plans to mitigate COVID-19.

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[18] Based on authors primary field insights at Chandrapur, Gadchiroli and Gondia
[19] https://www.downtoearth.org.in/blog/forests/how-fra-helped-india-s-forest-communities-during-covid-19-74440

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Table no 50 denotes the alternative policy measures regarding customary business implemented by the Gram Sabha GS during the crucial times of COVID-19. Forest and tribal communities live in a distinctive environment surrounded by forests and rivers and therefore their customary occupations also have peculiar intricacies. During the time's COVID-19 the customary occupations of Forest and tribal communities had been severely disturbed. At that time local self-governance institutions planned contextual strategy as reflected in the table no 51.

Table 50: What are the alternative policy measures regarding customary business implemented by the Gram Sabha GS during the crucial times of COVID? **(N:1120)**

Sr.no	Alternative policy measures	Frequency	States	
			Maharashtra	Chhattisgarh
1	Formed a Federation to carry out their minor forest produce collection and sales	Strongly implemented	51.5%	44.7%
		Partially implemented	44.7%	51.5%
		Least implemented	1.0%	1.0%
		Not at all implemented	2.7%	2.7%
		Total:	**100%**	**100%**
2	Took special efforts and permission to collect Mahua and Tendu Patta, during the crucial times of COVID	Strongly implemented	52%	45.5%
		Partially implemented	23%	13.4%
		Least implemented	15%	18.8%
		Not at all implemented	10%	21.4%
		Total:	**100%**	**100%**
3	Initiated collective bargaining and effective business management practices during COVID	Strongly implemented	35.3%	37.5%
		Partially implemented	13.9%	18.8%
		Least implemented	10.5%	20.5%
		Not at all implemented	39.7%	22.3%
		Total:	**100%**	**100%**
4	Provided competitive prices and bonuses for the communities for their MFP produce collection	Strongly implemented	35.3%	44.5%
		Partially implemented	13.9%	12.4%
		Least implemented	10.5%	19.8%
		Not at all implemented	39.7%	20.4%
		Total:	**100%**	**100%**
5	New sources of revenue generation through minor forest produce rights to harvest, sell, and marketing	Strongly implemented	44.6%	47.3%
		Partially implemented	34.8%	46.4%
		Least implemented	15.2%	5.4%
		Not at all implemented	5.4%	0.9%
		Total:	**100%**	**100%**
6	Harvested new medicinal plants for future investment	Strongly implemented	30.4%	35.7%
		Partially implemented	48.2%	37.5%
		Least implemented	13.4%	19.6%
		Not at all implemented	8.0%	7.1%
		Total:	**100%**	**100%**
7		Strongly implemented	52.9%	44.4%

	Developed new market linkages for minor forest produce	Partially implemented	2.4%	19.3%
		Least implemented	0.7%	18.3%
		Not at all implemented	0.7%	0.3%
		Total:	**100%**	**100%**

Source: Primary data

Depending on the local needs and resource availability gram sabahs in the select study areas have had implemented a different prominent strategies such as: forming a federation to carry out their minor forest produce collection and sales (51.5% Maharashtra and 44.7%Chhattisgarh); taking special efforts and permission to collect Mahua and Tendu Patta, during the crucial times of COVID (52%Maharashtra and 45.5% Chhattisgarh); developed new market linkages for minor forest produce(52.9%Maharashtra and 44.4 % Chhattisgarh) respectively. Likewise, other alternative policy measures also played an effective role in protecting the customary occupational rights of forest and tribal communities.

Thus, these efforts played a vital role in sustaining the quality of life and addressing the socio-economic challenges faced by these communities. Collective bargaining and effective business management practices

Table 51: What are the alternative health-related provisions implemented by the Gram sabha GS during the crucial times of COVID?   **(N:1120)**

Sr.no	Alternative health-related provisions implemented by the GS	Frequency	States	
			Maharashtra	**Chhattisgarh**
1	initiated community awareness campaigns about the precautions to prevent COVID including slogans on walls; local announcements and loudspeakers to share information	Strongly implemented	51.5%	56.6%
		Partially implemented	14.6%	39.3%
		Least implemented	13.6%	1.4%
		Not at all implemented	20.3%	2.7%
		Total:	**100%**	**100%**
2	Village shopkeepers were issued a pass to bring some necessary grocery items and medicines	Strongly implemented	17.6%	30.4%
		Partially implemented	44.4%	48.2%
		Least implemented	19.3%	13.4%
		Not at all implemented	18.3%	8.0%
		Total:	**100%**	**100%**
3	Provided emergency ambulance service and health permits; trained health workers to accompany patients	Strongly implemented	30.4%	35.7%
		Partially implemented	48.2%	37.5%
		Least implemented	13.4%	19.6%
		Not at all implemented	8.0%	7.1%
		Total:	**100%**	**100%**
4		Strongly implemented	47.3%	44.6%

	Provided identity cards and passes to move into the village and forest with a specific time duration	Partially implemented	46.4%	34.8%
		Least implemented	5.4%	15.2%
		Not at all implemented	0.9%	5.4%
		Total:	**100%**	**100%**
5	Created village-level quarantine centers within minimum resources	Strongly implemented	44.6%	35.7%
		Partially implemented	34.8%	37.5%
		Least implemented	15.2%	19.6%
		Not at all implemented	5.4%	7.1%
		Total:	**100%**	**100%**
6	Para health workers/ASHA workers were trained along with village volunteers	Strongly implemented	48.2%	37.5%
		Partially implemented	30.4%	35.7%
		Least implemented	13.4%	19.6%
		Not at all implemented	8.0%	7.1%
		Total:	**100%**	**100%**
7	Local-level training and culturally appropriate strategies for awareness programs for vaccination, cheeking rumors, and physical distancing	Strongly implemented	52.9%	47.8%
		Partially implemented	2.4%	32.9%
		Least implemented	0.7%	5.1%
		Not at all implemented	0.7%	14.2%
		Total:	**100%**	**100%**
8	Developing trust between health workers and local communities	Strongly implemented	48.2%	51.5%
		Partially implemented	30.4%	14.6%
		Least implemented	13.4%	13.6%
		Not at all implemented	8.0%	20.3%
		Total:	**100%**	**100%**
9	Village-level check posts and mobility management transport/mobile ambulance facilities	Strongly implemented	56.6%	51.5%
		Partially implemented	39.3%	14.6%
		Least implemented	1.4%	13.6%
		Not at all implemented	2.7%	20.3%
		Total:	**100%**	**100%**
10	Coordination with block-district health machinery; the emergence of village level volunteers training and capacity-building strategies for women volunteers	Strongly implemented	47.3%	54.5%
		Partially implemented	45.5%	23.2%
		Least implemented	4.5%	6.2%
		Not at all implemented	2.7%	16.1%
		Total:	**100%**	**100%**

Source: Primary data

Forest and tribal communities are living in a unique far-flung geographical environment and therefore vulnerable to adequate health facilities provided by government institutions. Therefore, it becomes the primary responsibility of local governance institutions like gram

panchayats and gram sabhas to protect the health rights of these vulnerable masses. Table no 51 provides alternative health-related provisions implemented by the Gram sabha GS during the crucial times of COVID in the select study areas. Out of the 10 distinctive alternative efforts the top five alternatives are: initiated community awareness campaigns about the precautions to prevent COVID including slogans on walls; local announcements and loudspeakers to share information (51.5% Maharashtra and 56.6% Chhattisgarh); Village-level check posts and mobility management transport/mobile ambulance facilities(56.5% Maharashtra and 51.6% Chhattisgarh); Developing trust between health workers and local communities(48.2 % Maharashtra and 51.5% Chhattisgarh); Coordination with block-district health machinery; the emergence of village level volunteers training and capacity-building strategies for women volunteers(47.3 % Maharashtra and 54.5% Chhattisgarh) respectively.

The creation of village-level isolation centers (44.6% strongly implemented in Maharashtra, 35.7%) in Chhattisgarh provided a local response for the isolation and care of persons with suspected or confirmed COVID-19. played an important role.

According to a villager:

> During the times of COVID, we were lost our hope but our gram sabha decided to help villagers with locally available resources they provided garm sabha funds to purchase masks, sanitizer, and medicines and the most effective strategy was providing quarantine centers within minimum resources, all these preventative measures created positive hope and saved our lives.

Thus, by implementing these provisions, Gram Sabhas played an important role in protecting the health and welfare of their communities during the pandemic.

Table 52: What are the alternative food-related provisions implemented by the GS during the crucial times of COVID? **(N:1120)**

Sr.no	Alternative food-related provisions implemented by the GS	Frequency	States	
			Maharashtra	**Chhattisgarh**
1	Conducted surveys on families that were starving	Strongly implemented	49.2%	50.9%
		Partially implemented	35.6%	33.9%
		Least implemented	5.1%	8.9%
		Not at all implemented	10.2%	6.2%
		Total:	**100%**	**100%**
2	Targeted intervention to provide PDS ration by Gram panchayats; door-to-door ration distribution strategies	Strongly implemented	54.1%	72.9%
		Partially implemented	41.2%	26.1%
		Least implemented	4.8%	0.7%
		Not at all implemented	0.3%	0.3%
		Total:	**100%**	**100%**
3		Strongly implemented	48.8%	53.6%

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	Food bank; forest food to the needed; developed local food supply chains developed	Partially implemented	32.9%	45.5%
		Least implemented	16.3%	0.9%
		Not at all implemented	2.0%	--
		Total:	**100%**	**100%**
4	Local forest-based food security plans evolved	Strongly implemented	48.2%	50.9%
		Partially implemented	30.4%	33.9%
		Least implemented	13.4%	8.9%
		Not at all implemented	8.0%	6.2%
		Total:	**100%**	**100%**
5	Integration with ICDS, MDM, and PDS at the local level especially for small children and pregnant women	Strongly implemented	52%	56.6%
		Partially implemented	23%	39.3%
		Least implemented	15%	1.4%
		Not at all implemented	10%	2.7%
		Total:	**100%**	**100%**
6	Women members organized a system of equal food distribution across villages.	Strongly implemented	66.6%	72.9%
		Partially implemented	29.3%	26.1%
		Least implemented	1.4%	0.7%
		Not at all implemented	2.7%	0.3%
		Total:	**100%**	**100%**

Source: Primary data

Table no 52 explores alternative food-related provisions implemented by the GS during the crucial times of COVID. There are six exclusive alternative food-related provisions implemented by the GS during the crucial times of COVID in the selected study areas. Food is a fundamental basic human need during the times of COVID when there was a restriction on mobility villagers were not able to go outside to meet their daily food needs. During such challenging conditions, gram sabhas prepared a strategic plan to meet basic food rights some of the prominent alternatives are; Women members organized a system of equal food distribution across villages (66.6%Maharashtra and 72.9% Chhattisgarh); Integration with ICDS, MDM, and PDS at the local level especially for small children and pregnant women(52 %Maharashtra and 56.6 % Chhattisgarh); Targeted intervention to provide PDS ration by Gram panchayats; door-to-door ration distribution strategies(54.1 %Maharashtra and 72.9 % Chhattisgarh); Conducted surveys on families that were starving(49.2 %Maharashtra and 50.9 % Chhattisgarh) correspondingly.

> According to one of the gram sabha members in Rajnandangaon, Chhattisgarh state explained that the members planned a three-stage strategy to mitigate food security i) conducted a survey on identifying the families does not have any resources of food and food storage; gram sabha provided door to door food supply; prevented villagers to gather in a market places for food; under public distribution service provided free food to poor families; provided traditional forest food like manhwa, honey and locally available rise to villagers.

Thus, the locally relevant efforts taken by the gram sabha offered relief to the needy masses these strategies were also appreciated by the district administration for further planning.

Table 53: To what extent do you agree or disagree on the benefits of Gram Panchayats COVID governance strategies for promoting and protecting natural human rights of forest and tribal communities FTCs' traditional livelihood/employment, customary businesses, and health and food? **(N:1120)**

Sr.no	Response	States	
		Maharashtra	**Chhattisgarh**
1	Strongly Disagree	0.3%	0.9%
2	Somewhat Disagree	3.4%	24.1%
3	Fairly Agree	10.9%	10.7%
4	Agree	62.2%	49.1%
5	Strongly agree	22.8%	14.3%
6	Not Answer	0.68%	0.9%
	Total	**100%**	**100%**

Source: primary data

Table no 53 provides the responses of respondents in the selected study villages about are they agree or disagree on the benefits of Gram Panchayats COVID governance strategies for promoting and protecting natural human rights of forest and tribal communities FTCs' traditional livelihood/employment, customary businesses, and health and food.

A significant proportion of respondents strongly agreed with the benefits of Gram Panchayats' COVID governance strategy. In Maharashtra 22.8% strongly agreed, while in Chhattisgarh 1.3.3% strongly agreed. These responses indicate a significant level and acknowledgment of the positive results achieved by the policies implemented by Gram Panchayats

It is concluded that gram sabhas empowered with FRA/PESA helped forest communities' tide over distress period, mainly women members demonstrated exceptional participatory planning model to safeguard human rights, particularly livelihoods of women, and food security planning at the grassroots level. Most of the areas are enormously affected by extremist groups such as Gadchiroli, Gondia, Chandrapur, and many districts of Chhattisgarh states.

Chapter- 4

Findings and Policy Suggestions

. . . .

Introduction:

The research project aimed to understand and explore the emergence of the new consummate role of *Gram Panchyats* and *Gram Sabhas* as frontline grassroots institutions in forging a holistic participatory local governance model for safeguarding inherent human rights of Forest and Tribal Communities in the remote forest-dependent and extremist affected districts of Maharashtra (Gadchiroli, Gondia, and Chandrapur) and Chhattisgarh (Rajnandgaon and Kanker). While there are several studies that have primarily focused on the role of gram panchayat/ gram sabhas in protecting and promoting the human rights of marginalized masses, however, majority of the studies have not thrown light on the following factors that are covered in the present study. The institutionalization of local-self-government since 1990 has amplified the process of decentralization at grassroots levels. Especially, after the enactment of PESA and FRA acts several changes in the border social fabric have been noticed especially at the rural-tribal *Garm Panchayats* and *Gram Sabhas*. New alternative governance structures are emerging that are fundamental for the promotion and protection of the human rights of the most excluded groups such as tribal and forest communities. Tribal and forest communities are considered high-risk human rights groups. Due to their remote locations and the hostile environment affected by extremist groups, the issues of human rights become more severe. Local self-governance institutions are democratic systems that respect the fundamental human rights of every citizen and provide equitable opportunities for the citizens to take part in their own development by adopting alternative participatory governance strategies.

However, in spite of the significant contribution of Local self-governance institutions in the sphere of promotion and protection of human rights, their inherent issues have been less discoursed and understudied especially, in the context of challenging conditions like pandemic and extremist environment. Thus, locating with this analytical premise, the present study made an attempt to scientifically document and analyze some of the representative case studies of Gram Panchayats/ Gram sabhas located in the remote and extremist-affected areas in the states of Maharashtra and Chhattisgarh. To conduct this important research project, the present study locates a total of 1120 respondents ranging into 4 specific groups (560 Maharashtra and 560 Chhattisgarh) states respectively. Thus, after having a detailed analysis of the study objectives this chapter aims to present specific and crucial findings and further offer specific policy suggestions in the light of the specified context.

Salient findings:

The socio-economic profiles of the respondents reveal that the majority of them from both states belong to the most vulnerable social category that is constitutionally distinguished as Scheduled Tribes S.T (74.24 % Maharashtra and 76.8 % Chhattisgarh) while (61.91 % Maharashtra and 69.55Chhattisgarh) respondents studied up to10 th standard. The findings show that there is a gradual improvement in education it also shows that both areas have been dominated by the presence of Scheduled Tribes S.T.

As far as the presence of socio-politically and environmentally important laws such as PESA and FRA among all 10 selected villages under study in both Maharashtra and Chhattisgarh states only three villages do not have PESA act the villages are *Palasgaon; Pangri* and *Rawas.* The correlation between PESA and FRA in selected villages in Maharashtra represents the convergence of both laws to identify and protect the rights of tribal and forest communities. It highlights efforts to promote local self-government, ensure community participation, and secure forest resources for the welfare of these communities.

While assessing the awareness levels of respondents regarding grassroots institutions such as Gram Panchayats and Gram Sabha the study found that most grassroots villagers are aware of the existence of Gram Panchayats and Gram Sabhas as these are the most basic and primary grassroots institutions in villages. In most villages, people are aware of these institutions' existence and functions.

With regard to the most preferable primary grassroots institutions for protecting and promoting HR of FTC in Maharashtra, Gram Panchayat is the most preferred institution, with approximately 44.10% respondents preferring it. On the other hand, in Chhattisgarh, traditional councils are chosen by 32.10% people, followed by Gram sabha at both the states. It shows that traditional councils are still have prominent presence at Chaatiisgarh. However, gram sabhas are also found one of the emerging local institutions.

According to respondents, the most important human rights to be promoted and protected by local democratic institutions working for grassroots empowerment are the right to quality of life and employment followed by right to freedom and equal opportunity to participate in GS governance and right to food and health and education.

The study found that a significant proportion of respondents in selected districts of Maharashtra and Chhattisgarh consider gram sabhas to be the primary decision-making function of grassroots democracy. In Maharashtra, .43..4% respondents agree with this statement, while 42..4% strongly agree. In Chhattisgarh 35.7% respondents agree and 26.8% strongly agree.

The study observed that the majority of the respondents from both states believe that gram sabhas are adopting roles that help to protect and promote their fundamental human rights. A significant percentage of respondents strongly agree that the Gram Panchayat and Gram Sabha have implemented new roles related to livelihood and employment. In Maharashtra, 47.1% agree, while in Chhattisgarh, 26.8% agree.

The study indicates that GP/GS in both Maharashtra and Chhattisgarh have implemented various initiatives to protect and promote livelihood and employment. These activities include conducting awareness camps, providing job cards, providing legal counselling, creating alternative employment opportunities, assisting in CFR and IFR claims, developing market linkages, implementing new policies, and deciding on alternative sources of livelihood.

A large percentage of respondents from both Maharashtra and Chhattisgarh agree or strongly agree that these collectors are paid more due to the efforts of Gram Sabha. This indicates that the Gram Sabha's efforts have positively impacted the livelihoods of daily wage earners by providing improved remuneration for their work in collection of marginal forest production. An increase in daily wages is important for these individuals as it increases their economic well-being, potentially lifting them out of poverty and contributing to sustainable development at the village level.

It was observed that various expert consultation and training programs were organized for the villagers to promote village development and raise awareness about human rights by the Gram Panchayats and Gram Sabhas selected for the study.

It is found the Gram Sabhas selected for the present study have taken due care to measure the practical issues faced by the villagers and training and consultation have been conducted accordingly. This indicates that even though these villages are located in remote areas, they are connected to the outside world and are receiving timely relevant knowledge from outside actors without compromising their traditions and culture.

Field studies highlighted the positive impact of granting special licenses to gram sabhas for trade in bamboo and tendu under the Forest Rights Act. These permits, which fall under Schedule 5, have significantly increased the income of village subhas through the harvesting and trading of bamboo as a minor forest produce.

It is worth noting that most of the respondents opined that they saw a significant difference between the pre-MFP and current prices. It has also been noted that the efforts made by Garam Saba played a significant role in improving the economic status of the forest and tribal communities. Conducted strategic planning, initiated intermediary interventions drawn up by Gram Sabhas, initiated open tender processes and implemented effective marketing strategies.

Overall, the new role of gram subhas to protect the traditional rights of forest-dwelling communities over MFP and their right to derive income from MFP has had a positive impact on community empowerment, livelihoods, resource conservation and cultural preservation. It strengthens community participation and ensures sustainable management of forest resources, thereby benefiting communities and the larger ecosystem.

Based on these results, it can be inferred that a higher percentage of respondents in Maharashtra attended and participated in Gram Sabha meetings more frequently than in Chhattisgarh. Chhattisgarh had a higher percentage of respondents who rarely or never participated compared to Maharashtra.

A significant majority of respondents, 94.6%, stated that they did not fear or have any concerns about participating. A majority of respondents, 92.0%, stated that they did not fear or have any

concerns about participating. These percentages provide insight into the level of fear or anxiety among respondents when considering participating in Gram Sabha meetings in each state. In both Maharashtra and Chhattisgarh, most respondents reported no fear or anxiety.

The study found that in both Maharashtra and Chhattisgarh, a significant proportion of respondents believed in an enabling environment and right to participation. However, it is worth noting that in Chhattisgarh, the percentage of respondents who somewhat or strongly did not believe in favorable environment and right to participation was higher than in Maharashtra. This could be due to the reliance on traditional governance institutions and or hegemonic approach in the governance system.

As far as the percentage of respondents who raise questions and give suggestions on rights-based issues in Gram Sabhas it has been found that 21.4% respondents form Maharashtra and 34.8% respondents from Chhattisgarh mentioned that they frequently raise questions and give suggestions on rights-based issues in Gram Sabhas. This indicates a relatively high level of active participation from this subset of individuals. However, there is a section of respondents who reported that they do not raise questions and give suggestions on rights-based issues in Gram Sabhas are the people who take part in the discussion and might agree with the proceedings and believes that their views have been presented by their representatives.

Whan asked about the motivations to participate in the gram sabhas it was found insights into the perceptions and motivations of individuals in Maharashtra and Chhattisgarh to participate in Gram Sabhas, emphasizing factors such as the opportunity to raise issues related to human rights, critical decision-making, equality and the importance of GS as a primary village institution.

With regard to the question of direct people's participation in local governance In Maharashtra, 54.1% people consider the mode of direct people's participation in local governance very important. In Chhattisgarh, 45.5% of respondents believe that direct people's participation in local governance is very important. Overall, direct people's participation in local governance enhances the democratic process, improves decision-making, increases accountability, empowers citizens, and promotes community well-being. This good governance is an essential element and contributes to building stronger and more resilient communities.

Whether the questions and suggestions get due consideration in the gram sabha the study found mixed reactions In Maharashtra, 100.0% people said that their questions or suggestions are taken into account after the discussions held by Gram Sabha. In Chhattisgarh, 53.6% reported that their queries or suggestions are considered after due discussion, while 45.5% responded that they are not considered. (0.9%) A small percentage did not provide an answer.

Gram sabha meetings are truly a model of direct democracy that protects and promotes human rights of ordinary masses. Therefore, suggestion made by any members being discussed with valid rational and also rejected or re-examined by the gram sabha. Respondents from both states stated that such practices are to be followed however some of the respondents feel GS does not adequately justify the rejection and recommendation of their questions and suggestions for re-discussion.

The study found that there is a growing trend of acceptance to apply democratic and socially accountable practices such as social audits almost 67.8 % of respondents from Maharashtra are

of the opinion that social audits at their respective gram sabha's conducts regularly and sometimes whereas 49.1 % of respondents from Chhattisgarh believes the same respectively.

The field insights suggests that even though the condition is quite optimistic and changing positively as compared to earlier there is small section particularly women who believes that there should be more scope for their accommodation in these democratic institutions, except in gram sabhas in the districts of Gadchiroli and Chandrapur. Likewise, another important section who do not believe in democratic structures and relies on traditional local governance structures depended on patriarchy and hegemony strongly opposes these structures.

The findings highlight the need for continued efforts to increase women's participation in gram sabhas, especially in areas where it is perceived to be at a low level. Promoting gender equality and inclusiveness in decision-making processes at the grassroots level can contribute to more effective and equitable governance.

As far as the dignity maintained in the gram sabhas the data indicated that a significant percentage of respondents in both Maharashtra and Chhattisgarh believe that they receive equal respect and status as human beings in all respects. In Maharashtra, 30.8% strongly believe and 67.1% somewhat believe the idea. Similarly, in Chhattisgarh 33.0% strongly believe and 54.5% slightly believe it.

Overall, these findings reflect the perceptions and beliefs of the individuals surveyed. This suggests that significant percent of respondents in both states perceive the Gram Sabha as an institution that empowers ordinary villagers to claim and demand their basic rights.

With regard to crucial factors to be important for the emergence of new roles of GP-GS for the promotion and protection of human rights of forest and tribal communities the study found that among the all seven factors implementation of FRA and participatory local governance approach adopted by GS and commitment, trust & struggle by local leadership and villagers these two have been emerged as most trusted and appealing factors.

The data indicate that overall, there is a significant level of satisfaction with the new roles adopted by GP-GS to promote and protect the human rights of forest and tribal communities in both Maharashtra and Chhattisgarh. Most of the respondents in both the states expressed their satisfaction with these new roles. A large percentage of respondents from Maharashtra and Chhattisgarh indicate that they are very satisfied. However, there are also some respondents who express some level of dissatisfaction, with a small percentage being somewhat dissatisfied or not at all satisfied, especially in Chhattisgarh.

Local governance structures such as gram panchayats and gram sabhas are one of the strategies for locally relevant and socio-culturally appropriate participatory local governance. Since these two institutions are primarily and closely associated with local communities it has a special advantage to design plans accordingly for village development and to protect the human rights of common villagers. Overall, both states have embraced and encouraged participatory and inclusive approaches to local governance, including the active participation of local social leaders, open and transparent public debate and discussion on local issues, and the acknowledgment and consideration of locally relevant issues in local cultural ceremonies and gatherings.

A comparative interpretation of the table shows that Chhattisgarh has a higher percentage of respondents that GP/GS promotes local spiritual rights and uses local traditional knowledge as compared to Maharashtra. This can be due to many factors such as cultural values, awareness and exposure to traditional practices.

When exploring what are the locally relevant practices adopted by the Gram Sabha influence participatory local governance at the village level majority of the respondents find that Conflict-free and harmonious communication and a collegial environment can encourage trust and cooperation among community members, which are essential for effective participation in local governance. Development plans focusing on local languages, geographic regions and providing content/information on real rights-based local topics, and local communities can also help increase awareness and participation of people. These practices can contribute to empowering people and promoting their rights and interests, leading to local governance and sustainable development.

While exploring the need for alternative democratic structures alongwith gram panchayats and gram sabhas overall, the responses indicate that most respondents in both states recognize the need for alternative democratic local governance in the face of hardship and human rights violations, but support for it is greater in Maharashtra than in Chhattisgarh, and opposition to it is higher in Chhattisgarh.

Based on the data, we can perceive that most of the respondents from both Maharashtra and Chhattisgarh agree that new transformative alternative democratic local governance structures are emerging to protect and promote indigenous peoples at the grassroots level and FTC's human rights. Maharashtra has the highest percentage of respondents slightly agreeing (68.1%), followed by strongly agreeing (27.5%). In Chhattisgarh, the highest percentage of respondents slightly agree (61.6%), followed by strongly agree (20.5%). Overall, the data suggest that these states have a positive perception of the emergence of alternative democratic local governance structures, which may be a promising development for the FTC's protection and promotion of basic human rights.

The emergence of alternative democratic structures at the grassroots level is a positive development, indicating a more democratic and participatory approach to governance. The higher level of emergence of these structures in Maharashtra compared to Chhattisgarh suggests that the state may be more conducive to the emergence of these structures, which may be due to various factors such as the level of social mobilization, awareness of rights and the presence of civil society organizations operating in the region.

The findings show that there is a high level of awareness in the functioning of these structures, collective trust and social responsibility are the norm. In both states, there is a strong belief in community communication, public hearings, and holding minute meetings. Additionally, there is a high level of commitment to equal opportunities for women members at all levels of governance. However, there are some notable differences between the two states.

It appears that these alternative structures have created a deep impact on local masses and assisted Gram sabhas to perform their duties much more strategically and professionally and

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ultimately emerging as means of alternative structures to protect and promote human rights of tribal and forest communities.

Natural calamities such as the COVID-19 (pandemic) have exposed gaps in top-down models of governance around the world, including in India. In such challenging circumstances, local self-governance institutions such as gram panchayats and gram sabhas have served as role models for others. It is worth noting that most of the respondents either strongly and or partially believed that their respective Gram Shahs have played an important role in the promotion and protection of natural human rights during the critical period of COVID-19 to traditional livelihoods/employment, customary occupations, and health and food.

While exploring what are the alternative livelihood options implemented by the GS during the crucial times of COVID with regard to strongly implemented alternative livelihood initiatives in Maharashtra and Chhattisgarh state, the following are strongly preferred: GS approved to use its own fund to provide alternative livelihood (51.5 % Maharashtra and 35.7 % Chhattisgarh); Equal wages to men and women and livelihood opportunities for migrant laborers (47.8% Maharashtra and 48.2% Chhattisgarh) respectively.

Out of the 10 distinctive alternative efforts to mitigate health issues, the top five alternatives are: initiated community awareness campaigns about the precautions to prevent COVID including slogans on walls; local announcements and loudspeakers to share information (51.5% Maharashtra and 56.6% Chhattisgarh);   Village-level check posts and mobility management transport/mobile ambulance facilities(56.5% Maharashtra and 51.6% Chhattisgarh); Developing trust between health workers and local communities(48.2 % Maharashtra and 51.5% Chhattisgarh); Coordination with block-district health machinery; the emergence of village level volunteers training and capacity-building strategies for women volunteers(47.3 % Maharashtra and 54.5% Chhattisgarh) respectively.

The alternative food-related provisions implemented by the Gram Sabha highlighted the significance of local-level interventions to address food insecurity during the COVID-19 pandemic. These provisions included conducting surveys, targeted ration distribution, establishing food banks and local supply chains, promoting forest-based food security plans, integrating with existing food programs, and implementing gender-responsive distribution systems. Through these measures, the Gram Sabha played a crucial role in ensuring access to food and minimizing the impact of food scarcity on vulnerable communities.

As far as natural human rights, quality of life, and health and food of forest and tribal communities are concerned a small percentage expressed disagreement or reservations, but most agreed or strongly agreed with the effectiveness of these policies. A small percentage expressed disagreement or reservations, but most agreed or strongly agreed with the effectiveness of these policies. These findings underscore the importance of Gram Panchayats' /Gram sabhas initiatives to support and uplift forest and tribal communities during the challenging times of the COVID-19 pandemic.

There are now 88 districts covering some 31,400-gram *panchayats* and around 119,000 villages that fall in the left-wing extremism-affected category (Livemint Report, 2017)[20]. The role of Local self-governance structures in these areas becomes crucial to promote and protect the inherent human rights of forest and tribal communities. An investigation in this regard was done, and the study received important findings.

The presence of an extremist environment is a cause of lessening awareness of human rights among people and the development process initiated by GP-GS at the local level. The above table explains the percentage of the extremist environment that has created issues in the development and awareness of human rights and their importance in the lives of local people. The presence of extremist environment in Maharashtra in the percentage of high determining factors is 34.2 %, moderately determining factors is 48.5%, least determining factor is 4.7 %, and not at all determining factor is 12.5. The high determining factor is 45.5%, the moderately determining factor is 25.9%, the least determining factor is 12.5%, and the not-at-all determining factor is 16.1 in Chhattisgarh. This demonstrates the disparity at a different level in the presence of extremist environmental factors in Maharashtra and Chhattisgarh.

In order to search what are the important crucial challenges that GP-GS faces in the tensed-extremist environment it has been found that the respondents have identified a total of 11 crucial challenges, among the all following are the five major challenges as reported by the respondents such as Serious difficulties in effectively implementing crucial pro-public programs like PESA; FRA; MGNERGA; PDS(Chhattisgarh 44.6 %); Social tensions will lead to a feeling of injustice among the common villagers(Chhattisgarh 36.6 %); Maintaining mutual trust and common understanding among the villagers and GP-GS is day-by-day challenging(Chhattisgarh 33.9 %; Maharashtra 21.0 %); GP-GS facing problems performing its constitutional duties due to a lack of a free and fair environment(Maharashtra 24.1 %). It has been found the tense extremist environment has highly dominated in Chhattisgarh than in Maharashtra. Because of this GP-GS has been facing issues in performing entrusted duties to develop the local people and enlightening them about human rights in the local areas.

Furthermore, the study explored what are the alternative strategies implemented by the GP/GS for an active engagement of FTC to take ownership of their development and human rights at the grassroots level it has been found that there are 13 alternative strategies have been implemented by the GP/GS in this regard. Out of the 13 alternative strategies, one of the most preferred alternatives that the majority of the respondents are preferred is the locally and culturally relevant strategies adopted by GS-GP to resolve and settle human rights issues jan (human); jal(water); janwar(animals); jangal(forest); jameen (land)(Maharashtra 66.4% ; Chhattisgarh 55.4%) followed by Integrated efforts to effectively implement crucial pro-public programs like PESA; FRA; MGNERGA; PDS etc (Maharashtra 66.1% ; Chhattisgarh 58.0%); implementation of non-violent, Gram-swaraj; self-rule-based Gandhian philosophy in the local governance(Maharashtra 34.2% ; Chhattisgarh 45.5%). In fact the field insights suggest that

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[20]https://www.livemint.com/Opinion/nSOvlmBylHCqGpcdNpXpOI/Reading-the-Maoist-challenge-right.html

all the 13 alternative strategies implemented by the GP/GS are very much crucial and help to reduce structural challenges coupled with the extremist environment in a sustainable manner.

Policy suggestions:

This section presents a few concrete policy suggestions that are characterized into the following four categories:

1. policy suggestions in the existing Gram panchayat /Gram sabha acts for its effective implementation with special reference to promoting and protecting human rights (Maximum five)
2. policy suggestions in the existing COVID Governance Plan for its effective implementation with special reference to promoting and protecting human rights (Maximum five)
3. policy suggestions in the existing Forest Rights ACT(FRA)for its effective implementation with special reference to promoting and protecting human rights (Maximum five)
4. policy suggestions in the existing PESA(ACT)for its effective implementation with special reference to promoting and protecting human rights (Maximum five).

The policy suggestions draw on the lessons from personal interviews of respondents located in the very far-flung and extremist-affected districts (Maharashtra-Gadchiroli, Chandrapur, Gondia, and Chhattisgarh-Rajnandgaon and Kanker), as well as based on inputs from the grassroots level non-governmental organizations. Being one of the primary caretakers of common villagers the above four areas are pivotal to gram panchayat/gram sabha in terms of protecting and promoting the human rights of grassroots citizens, therefore, the following suggestions can offer a realistic context for policymakers and local authorities.

1. Policy suggestions in the existing Gram panchayat/Gram sabha acts for its effective implementation with special reference to promoting and protecting human rights? (Maximum five).

1.1. To change the definition of "village" in the gram panchayat act:

It has been observed in both states that the definition of "village" is ambiguous and the government has termed the cluster of settlements as 'Village' to reduce the administrative burden. Therefore, there is a strong recommendation from the various stakeholders that a revised amendment shall be made which declares every settlement as a "village". The revised amendment will help thousands of tribal padas that are very small to be eligible as a "village'. With respect to tribal villages, the population limit defined by the government should be relaxed.

1.2. Gram Vikas Samiti should be a committee of Gram Sabha:

As per the existing act the definition of "Gram Vikas Samiti" means a committee constituted under Section 49 which shall be deemed to be a committee of the Panchayat. It shows that legally Gram Vikas Samiti should be under panchayat, not Gram Sabha. This disempowers

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gram sabhas whereas gram sabha being one of the primary and closest institutions Gram Vikas Samiti should legally come under gram sabha. Likewise, Gram Nidhi should belong to Gram Sabha. The financial sustainability of gram sabha is one of the fundamental aspects, thus funds received from government sources and self-generated should belong to gram sabha this will help gram sabha to utilize such funds in times of emergency and empowerment of local masses.

1.3. Change the norms to conduct only two mandatory gram sabha meetings:

In view to democratize grassroots local governance and awareness about the gram sabha it should be mandatory to hold Gram Sabha at least once a month (12 annually). It is not necessary to have a concrete topic (agenda) in front of this gram sabha every time. In order to run the overall affairs of the village, the people need to come together regularly. Also, the responsibility of holding such meetings should be entrusted to that Gram Sabha; Not on any one person and officials. The regulations in increasing mandatory meetings at self-help groups' findings suggest that there are positive outcomes in terms of efficiency, implementation, and governance.

1.4. Decisions taken by the gram sabha should be mandatory:

It is necessary to make a clear statement that 'the decision taken by the gram sabha will be binding on the concerned panchayat, government or the concerned person/institution'. Only then will the gram sabha get real power.

1.5. Need to increase gram sabha's rights to local resources:

To make the gram sabhas real means of people's institutions and the primary body that take care of the basic human rights of ordinary citizens there should be an increase in the right to gram sabhas such as ownership of secondary forest produce is very important for increasing the financial capacity of gram sabhas and manage the local resources available in the village jurisdiction. Making necessary amendments in all laws related to mines and minerals, secondary forest produce, excise rules, moneylending, and land acquisition is also necessary.

2. Policy suggestions in the existing COVID Governance Plan for its effective implementation with special reference to promoting and protecting human rights? (Maximum five)

2.1. Offer rights under pandemic management:

There are around 2,60,000-gram panchayats in India and equal numbers of gram sabhas since they function as grassroots-level primary local governance institutions and therefore have a critical role in natural calamities and pandemics like COVID-19. It is in this context the study recommends that gram panchayat and gram sabhas should provide special rights like a district magistrate acquire such as a legal provision to take contextual decisions related to the convergence of different schemes, conversion of funds, creation of quarantine center, providing special pass, and permits, monitor and govern health workers and health systems.

2.2. Sanction emergency fund for gram panchayat/gram sabha:

Gram panchayat/gram sabha have a decisive role in crisis management and have a responsibility to save almost 66 per cent of Indian lives. Therefore, both these institutions should be financially empowered to face emergencies like COVID-19 particularly to protect rights related to livelihood and employment issues; food security, creating health infrastructure, and purchasing essential equipment and allied material.

2.3. Training and capacity building on health emergency to gram sabha members:

The State Governments should provide a support-system to Gram Panchayats by providing educational ICT material, improving the ICT base of Gram Panchayats, and building their human resource capacity by providing training on heal and crisis management. The panchayat level planning and monitoring system (PPMS) should also be improved under e-gram swaraj portal.

2.4. the concept of "Cillage" can be a viable alternative:

As proposed by visionary scientist Dr.Anil Kakodkar[3]. The concept of "Cillage" suggests direct actions at the local level that connects city and village linkages professionally. Many migrants who returned to their native are skilled workers like plumbers, electricians, painters, and construction-related expertise's such skills may be upgraded and can be used to enhance income and advance local infrastructure. Thus, the process of return migration may be seen as an opportunity to develop grassroots-human capabilities. It requires an integrated approach to holistic skill-based education, technology development, and human resource management at the local level.

2.5. To strengthen service infrastructure Common Service Facility Centres (CSFC)

CSFC facility at local can be helpful in multiple ways. For instance: CSFCs jointly opened by local actors may facilitate providing a wide range of information on labour availability, specialization, physical recourses, and the use of technology to establish new livelihood avenues. It can also be used as telemedicine centers in remote areas for primary testing, treatment, registration for COVID vaccination on Co-WIN-App, and care to fight COVID [4].

3.PESA policy suggestions in the existing Forest Rights ACT(FRA)for its effective implementation with special reference to promoting and protecting human rights (Maximum five)

Even after 25 years of existence of pro-poor act like PESA, there are various challenges in its implementation and real existence which creates anxiety among the common masses who thinks that such acts will help gram panchayat and gram sabhas to promote and protect their fundamental human rights.

3.1. Pressing need to create awareness and capacity building

Field insights at many places in both states' experts few localities, particularly in the remote and extremist-affected areas there is a need to create confidence building, awareness, and capacity building of common villagers and gram panchayat members. The most important thing is that due to the lack of awareness that should have been created in the tribal area regarding the 'PESA' Act, the tribal groups remained ignorant and could not make revolutionary use of 'PESA'. Likewise, dependency on forest officials for implementing these acts should be

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minimized furthermore interventions of external actors such as professional NGOs should be involved with such identified gram panchayats as per need analysis. For instance, the efforts taken up by the District administration of Gadchiroli and Gondwana University through the "EKAL" program for awareness about PESA and FRA are very effective[21]. The states should prepare a new code of rules as per the people's aspirations and to make open the draft of the newly amended PESA Act (including the above amendments) to the public for discussion and to pass it taking into account all the suggestions and recommendations. After such law state government should plan to make state-wide arrangements for capacity building and training.

3.2. Remove glitches in the existing PESA act

It has been observed in both state's that the government has introduced a few amendments tactically that disempower the true spirit of the PESA act which hampers the inherent rights of the tribal and forest communities such as "the powers of land acquisition are vested with the district collectors respectively and ironically the same district collector has given powers to her and conduct the appeals against any decisions of gram sabha", under such conditions how can the local gram panchayat empowers and provide and protect human rights of fellow villagers. Therefore, there are many such cases where a violation has been made in the existing PESA Act the state should revise the PESA Act as per the public demands. Since the Gram Sabha was not formed properly, they could not perform the expected tasks of preventing land transfer, managing the natural resource wealth of alcoholism villages, preventing usury, planning village development, controlling village administration etc. There is a need for the preparation of model rules so that the provisions of this Act will be implemented and guidance will be available to the employees, officers, people's representatives, and gram sabhas to work. Making appropriate amendments in the Maharashtra and Chhattisgarh Gram Panchayat Act to enable the Gram Sabhas and Gram Panchayats in the PESA sector to exercise their powers mainly by revising the definition of village and gram sabha and creating new villages/ panchayats accordingly. Making necessary amendments in all laws related to mines and minerals, secondary forest produce, excise rules, moneylending, land acquisition.

3.3. To setup taluka, district, and state-level monitoring and facilitation committees:

The field insights also suggest that in order to effectively implement the PESA Act which is a historical Act that can create constructive changes in the lives of thousands of forest and tribal communities there should be a taluka, district, and state-level monitoring and facilitation committees. Such forums should comprise with both representatives from local self-governance and non-government organizations they should conduct special camps in remote areas; help to update records and filings

3.4. State should frame rules to protect and preserve the traditional rights of tribal and forest communities

The Panchayat (Extension to the Scheduled Areas) Act, 1996 which was passed by the Parliament still remains partially unproductive since the majority of the states have not been able to introduce state rules as per the law. This is why the practical utility of this Act becomes defunct. A state like Chhattisgarh has notified rules to implement PESA after a long period in

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[21] https://www.ekal.info/

the month of August 2022, this shows political apathy towards the pro-poor act like PESA. There are various debates about the rules framed by the state government wherein crucial rights of gram sabhas have been violated such as land acquisition and rights to local resources related to the fundamental rights of Jal, Jangal, and Jameen. Thus, it is pertinent to suggest that government should frame specific rules under the PESA act which preserve and protect traditional customs, culture, and livelihoods of tribal and forest communities for that a joint committee should be constituted along with various stakeholders in a timebound manner.

3.5, Need to implement a true spirit of PESA by allowing gram sabha's to self-rule

The Government of Maharashtra did not accept the definition of Gram Sabha as per the Central Act and retained the definition of 'Gram Sabha' as a meeting of all the electors of the Gram Panchayat under the Bombay Gram Panchayat Act, 1958. Therefore, instead of being a natural autonomous organization of the people living in wadi, tanda, tola, pada, pod, mohalla, and village, it got a weak form of assembly of all the villages in the gram panchayat area. There are many gram panchayats or 'group gram panchayats' in Maharashtra which include many villages, wadas, pads, and toles in tribal areas and the entire taluka is included in some gram panchayats. The Gram Sabhas of such Gram Panchayats cannot achieve "Self-governance" as envisaged in the 'PESA' Act. Gram sabhas in Maharashtra where the 'PESA' act functions do not have the authority to take decisions on important issues related to the lives and livelihood of tribal people. There are only such powers as contacting, obtaining information, suggesting schemes, and issuing certificates. These gram sabhas could not become centers of self-governance due to a lack of real rights.

5. policy suggestions in the existing PESA(ACT)for its effective implementation with special reference to promoting and protecting human rights (Maximum five).

The Scheduled Tribes and Other Traditional (Recognition of Forest Rights) Act, 2006, and Rules 2008 is a very progressive law passed in recent times. Due to the provisions of this Act, thousands of tribals and traditional forest dwellers who were considered trespassers on forest land have been given individual ownership rights to the land. Also, many villages have got collective rights to forest land, but neither this law nor its implementation is flawless.

5.1. Wider awareness, time-bound action, and coordination with line departments

It is observed that except few places such as Gadchiroli, Chandrapur the implementation of the FRA Act is effective this is mainly because of the efforts of local leadership, trust in participatory governance, and high levels of awareness like Mendha Lekha, Saigatta, and Pachgaon. However, in the selected study areas in Chattisgarh state the level of awareness and capacity building is poor. Therefore, there is a need to create systematic awareness programs and study visits to such model gram sabha which will create confidence among the gram sabha members. Likewise, the administrative responsibility for the implementation of this law should be determined by the government and it should be completed through a time-bound and impactful program. At present, district committees are taking decisions in this regard in their own way. There is no formula or policy, in Gadchiroli district collective claims are largely approved but not nearly so in other districts. State Monitoring Committee should issue clear instructions in this regard. Also, in every district, a steering committee should be formed with tribal representatives and voluntary workers. The administration should ensure that the

villages/gram sabhas which are eligible for collective forest rights are not deprived of the same under any circumstances. Tribal Development Department should take the initiative to present their claims. There should be a coordination panel between line departments by involving both state and central departments such as the Ministry of rural development and panchayat raj, the Ministry of Forest and Environment, the Ministry of Tribal Development, and the Ministry of Women and Social Welfare.

5.2. Protection of the Rights of Particularly Vulnerable Tribal Groups (PVTGs)

The FRA Act is particularly enacted to safeguard the inherent natural rights of forest dwellers and tribal groups, however, there are a Particularly Vulnerable Tribal Groups (PVTGs) living in India's forest areas. Primitive Tribal Groups have Habitat Rights under the Forest Act 2006. But these tribes are not able to make this claim today. Therefore, it should be implemented without claiming, the tribal development department should help these groups to actually get these rights.

5.3. Study rejection claims, focus on areas where FRA is neglected

While creating awareness to file cases under FRA there is a need to study why the number of rejection cases is at the large number for both individual and community forest rights. This will help to find the existing gaps and based on that concerned department and gram sabha will prepare a plan to resolve such gaps at the initial stages. This will also creates a sense of belonging and confidence among the tribal and forest communities. Likewise, there are areas where FRA is neglected line departments have to study such places to overcome local-level challenges and make suitable modifications to their strategies.

5.4. Focus on areas affected by extremist elements

It is a well-known fact that the functioning of democratic institutions in such places changes the scenario. In such challenging conditions acts like PESA and FRA can create democratic deliberations and helps to generate the peace process. Thus, it is the joint responsibility of all stakeholders to create dialog and make inroads by instituting FRA and PESA acts. It has been observed that the process of filing FRA CFR IFR claims, verifications and recognition is somewhat difficult. In such a condition a holistic plan has to be prepared through a two-way exchange of development dialogs and awareness.

5.5. Sensitize government officials and committees to be pro-poor and minimize checks

It has been found that in many places tribal and forest, people are having dissatisfaction with government officials and District Level committees (DLC) and Sub-divisional Level Committees (SDLC) associated with FRA and PESA. It is important to note that they are facilitators and should not work with the typical British governing officer mentality. Therefore, there should be sensitization programs for such officials. Likewise, it is also observed that there are different checks in the process of sanctioning FRA cases which consumes a lot of time and creates frustrations among the claimant. Tribal and forest communities are not trained to face such bureaucratic processes therefore there should be ease of doing business with such innocent tribal and forest communities as the state deals with large companies.

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References

- Flowers, Nancy (1998), Human Rights here and now Celebrating the universal Decleration of Human rights http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-5/1_HRE-Resource-List.htm

- Kanwal DP. Singh Man In India, 99 (1-2) : 33-46 © Serials Publications

- UNESCO, 2011, Contemporary Issues in Human rights Education 2011

- Nambiar, Malini (2001) Making the Gram Sabha Work *Economic and Political Weekly* , Vol. 36;33, pp. 3114-3117

- George Mathew, George (2003), Panchayati Raj Institutions and Human Rights in India *Economic and Political Weekly*, Vol. 38, 2, pp. 155-162

- Jena, Manipadma (2013), "Voices from Niyamgiri Source: Economic and Political Weekly , Vol. 48; 36, pp. 14-16.

- Sathpati, Sayantani. *etl.* (2019)"Revisiting the Forest Rights Act: Status of Implementation to respect of Land Tenures and Collection of Land Minor produce" Bharat Rural Livelihood Foundation New Delhi.

- Forsythe, David P, (2017), Hard times for Human Rights 'Journal of Human Rights volume 16, Issue 2, p, 01

- National Human Rights Commission, India NHRC recommends Rs. 27,94,00,000/- to the families of victims of Punjab Mass Cremation Case | National Human Rights Commission India

- Brander, Patricia, *etl*. (2020) Compass Manual for Human Rights Education with Young People Council of Europe Publishing, Hungary

- The Punjab Mass Cremations Case : Indian Burning the Rule of Law, https://ensaaf.org/wp-content/uploads/2018/08/cremations.pdf

- 2004, Human Rights Defender: Protecting Right to Defend Human Rights United Nations High Commissioner for Human Rights, Geneva

- Universal Declaration of Human Rights (2019), United Nations Peace, Dignity, and Equality on a Health Planet https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%202,property%2C%20birth%20or%20other%20status.

- Sankaran, S. R, Governance Resources and Livelihoods of Adivasis in India: Implementation of PESA and FRA S. R. Sankaran Chair (Rural Labour) National Institute of Rural Development and Panchayati Raj

- Dandekar, Ajay & Chitraganda Chaudhary (PESA, Left-Wing Extremism and Governance: Concerns and Challenges in India's Tribal Districts commissioned by Ministry of Panchayat Raj Govt of India

- Plan of Action to Prevent Violent Extremism (Online) under the title of Agenda for Action Recommendations on Preventing Violent Extremism htps://www.un.org/sites/www.un.org.counterterrorism/files/plan_action.pdf

- OECD(2020) Social economy and the COVID-19 crisis: current and future roles; https://www.oecd.org/coronavirus/policy-responses/social-economy-and-the-covid-19-crisis-current-and-futureroles-f904b89f/

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File No. R-11/1/2022-PRPP(RU-4) (Computer No. 5143)

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- Panchayats and pandemic; https://www.orfonline.org/expert-speak/panchayats-pandemic-65185/
- https://www.indiejournal.in/article/20km-on-feet-for-basic-healthcare-story-of-bhamragarh-s-pregnant-women
- Report Of The Expert Committee On Tribal Health: *Tribal Health in India- Bridging The Gap And a Roadmap For The Future,* Ministry of Health and Family Welfare Government of India And Ministry of Tribal Affairs Government of India.
- Independent India opted for a federal system of governance based on an electoral political democracy modelled after the British parliamentary system (Ahmed,2017).
- Mathew, G. (2003). Panchayati raj institutions and human rights in India. *Economic and Political Weekly*, 155-162.
- Cardenas, S. (2017). National human rights commissions in Asia. In *Sovereignty under Challenge* (pp. 55-82). Routledge.
- Sahgal, R. (2021). Strengthening Democracy in India through Participation Rights. *VRÜ Verfassung und Recht in Übersee*, *53*(4), 468-491.
- UNHCR(2020) Persons of Concerns, https://www.unhcr.org/ph/persons-concern-unhcr
- NHRC(2012)National Conference on Human Rights Education; https://nhrc.nic.in/press-release/national-conference-human-rights-education
- Ananth, P., & Kalaivanan, S. (2017). Grassroots governance in scheduled areas in India: The way forward of PESA act. International Journal of Innovative Research and Advanced Studies (IJIRAS), 4(1), 18-21.

- Das, B. K. (2021). 21 Devolving rights to forest dwellers Politics of institutional choice and recognition in the Forest Rights Act implementation process in West Bengal, India. *Handbook of Decentralised Governance and Development in India*.
- Mudgil (2020) Coronavirus Lockdown: Tribal People Restless Over Sale of Minor Forest Produce; https://thewire.in/government/coronavirus-lockdown-tribals-forest-produce
- **Online resources**

https://rightsandresources.org/wp-content/uploads/2020/10/CFR-and-the-Pandemic_GS-Lead-the-Way-Vol.2_Oct.2020.pdf

OECD(2020) Social economy and the COVID-19 crisis: current and future roles; https://www.oecd.org/coronavirus/policy-responses/social-economy-and-the-covid-19-crisis-current-and-future-roles-f904b89f/

Panchayats and pandemic; https://www.orfonline.org/expert-speak/panchayats-pandemic-65185/

https://www.livemint.com/Opinion/nSOvlmBylHCqGpcdNpXpOI/Reading-the-Maoist-challenge-right.html

Annexure-I

	GONDWANA UNIVERSITY, Gadchiroli, Maharashtra Department of Sociology Major Research Project funded by National Human Rights Commission(NHRC), New Delhi

Confidential: For Research Purpose Only

Interview Schedule for Villagers Group-I

Dear Respondent,
This research is being undertaken by the Department of Sociology, Gondwana University, Gadchiroli, Maharashtra and has been sponsored by the National Human Rights Commission(NHRC), New Delhi with an aim to understand the role of Gram Panchyat and Gram Sabha for the promotion and protection of human rights of tribal and forest communities. We request your cooperation for the same and assure you of the confidentiality of data provided by you.
Thanking you.

Section-I
1. PERSONAL INFORMATION OF THE RESPONDENT (Please mark √ for appropriate answer)

S.No	Question	Response
1	**a.** Name of the State	**1.**Maharashtra **2.**Chattisgarh
	b.Name of village	
	c.Name of District	
2	Gender:	**1.Male 2.Female 3.Other**
3	Age	
4	Occupation	
5	Religion	**1.** Hindu **2.**Muslim **3.** Sikh **4.**Christian **5.** Buddhist **6.**Other
6	Social Category	**1.General 2.S.C 3.S.T 4.VJ/NT 5.O.B.C 6.Any Other**
7	Educational Status	**1.** Illiterate **2**. Literate **1.** Up to Primary **2.**Up to Middle School **3.** Secondary SSC(10 th) **4.**HSC(12 th) **5.** Graduate & Above
8	Marital Status	**1.**Married **2.**Re-married **3.**Widowed **4.**Separated **5.**Divorced

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		6.Single	
9	Is your village covered under PESA?	1.YES 2.NO	
10	Is your village covered under Forest Rights Act?	1.YES 2.NO	

Section-II

To understand and explore the emergence of the new consummate role of Gram Panchyats and Gram Sabhas as frontline grassroots institutions in forging a holistic participatory local governance model for safeguarding inherent human rights of Forest and Tribal Communities.

Sr.no	Question(s)	Response	
	A. Frontline grassroots institutions and awareness about human rights		
1.	Did you know about Gram Panchyat?	**1.Yes** **2.No**	
2.	Did you know about Gram Sabha?	**1.Yes** **2.No**	
3.	Did you come across the word Human rights ever?	**1.Never** **2,Frequently** **3.Occasionally**	
4.	What is your primary reference institution which makes you aware about the basic Human rights issues at local level? (higher 1 to lower >8 preference)	**Institutions**	**Preference (1H to 8L)**
		1.Gram Panchyat	
		2.Gram Sabha	
		3. Traditional councils	
		4.Media	
		5.Tribal department	
		6.NGOs	
		7.Educational institutions	
		8. Other…………..	
5.	What do you think which of the following institutions are the most primary grassroots institutions for protecting and promoting HR of FTC? (higher 1 to lower >8 preference)	**Institutions**	**Preference (1H to 8L)**
		1. Judiciary	
		2.Police	
		3.Traditional Councils	
		4.Gram Panchayat	
		5.Gram Sabha	
		6.Forest Department	
		7.Tribal Department	

		8. Other…………..	
6.	What according to you are the factors to be considered as prime human rights issues that should be promoted and protected by your Gram Panchyat and Gram Sabha? (higher 1 to lower >8 preference)	**Institutions**	**Preference (1H to 7L)**
		1.Right to livelihood and employment	
		2.Right to freedom and equal opportunity to participate in GS governance	
		3. Right to develop capacity and awareness about primary needs	
		4.Right to food and health and education	
		5.Rigt to access to forest and its resources	
		6.Right to protect human dignity and empowerment	
		7.Right to legal support	
		8. Other…………..	
	B. Emergence of new consummate role of Gram Panchyat and Gram Sabha for promoting and protecting human rights of forest and tribal communities		
7.	Did you experience any NEW changes in the role of the functioning of GP/GS as compared to past?	Gram Panchyat- 1.Changes at highest level 2.Changes at moderate level 3.Changes at lower level 4.No change in the ongoing role **Gram Sabha:** 1.Changes at highest level 2.Changes at moderate level 3.Changes at lower level 4.No change in the ongoing role	
8.	Did you agree that Gram Sabha is the lowest decision making functionary of grassroots democracy?.	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree	
9.	Did you agree that most of the new changes in the role of the functioning related to promotion and protection of human rights have primarily been taken by Gram Sabha?	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree	
10.	Do you observe any of the above new roles in actual implementation by the	**New Roles**	**Preference 1;2;3;4;5**

	Gram Panchyat and Gram Sabha related to protecting and promoting your human rights at local level? 5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree	1.Livelihood and employment	
		2.Gender equality	
		3.Experts consultation and training	
		4.Marketing and linkages of Minor Forest Produces	
		5. Human rights centric participatory local governance	
		6. Any other….	

	New Roles: LIVELIHOOD AND EMPLOYMENT	
11.	Did you observe that your GP-GS has made new planning to explore alternative livelihood avenues at village level?	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree
12.	Whether you agree or disagree that you helped to get livelihood and employment opportunities due to the new efforts taken by your GP and GS?	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree
13.	Whether your GP and GS taken any new initiatives towards protecting your traditional land rights for livelihood?	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree

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14.	Please specify what are the multiple activities that your GP/GS have taken to protect and promote livelihood and employment? 5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree (higher 1 to lower >5 preference)	**New Roles**	**Preference 1;2;3;4;5**
		1.Awerness camps related to livelihood and employment	
		2.On demand job cards under MGNEREGA	
		3.Legal counselling	
		4.Alternative Seasonal employment opportunities	
		5.Assisted to claims for CFR and IFR	
		6.Developed new market linkages for MFPs	
		7.New policies towards funded by central and state government	
		8. New decisions for creation of alternative livelihood sources from gram panchayat fund	
		9. Any other….	
15.	Whether the collectors of Minor forest produce MFP gets additional per day wages as compared to earlier due to the efforts of Gram sabha?	5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree	
	New Roles: Experts Consultation and training		
16.	Did you observe any new role adopted by your GS to take experts consultation and provide training for villagers on issues related to human rights and overall village development?	**1.Frequently observed** **2.Occasionally observed** **3. Not at all observed**	
17.	Please explain, what are the areas wherein expert's consultation is being taken and training programs were conducted by GS? 5.Strongly agree 4.Agree 3.fairly agree	**New Roles**	**Preference 1;2;3;4;5**
		1.Finance and accounts management	
		2.Computer handling	
		3.Legal consultation on issues related to land and related issues	

	2.Somewhat disagree 1.Strongly disagree	4.Gender equality	
		5.Issues related to filing claims for FRA/PESA	
		6.Awerness on PESA and FRA	
		7.Health and hygiene	
		8. MFPs and its management	
		9. Any other….	
18.	What is your personal feeling about the new role of GS regarding taking experts' consultation and providing training really has a positive impact in protecting your human rights and village development?	1.Very positive 2.Somewhat positive 3.Neutral 4.Somewhat negative 5.Very negative	
	NEW ROLES: Minor forest produces its		
19.	Did you observe any new role adopted by your GS with regard to harvest and trade MFPs as compared to earlier?	1.Frequently observed 2.Occasionally observed 3. Not at all observed	

		New Roles	Preference 1;2;3;4;5
20.	Please explain what are the important initiatives that your GS has taken to protect your traditional rights on MFPs? 5.Strongly agree 4.Agree 3.fairly agree 2.Somewhat disagree 1.Strongly disagree	1.Licence to harvest and trade MFPs without intermediators	
		2.Established new market linkages to trade MFPs	
		3.Rights to issue transit pass book to harvest and transport MFPs	
		4.Rights to call independent tendering process for MFPs	
		5.Leagelly convinced forest department to perform GS independently	
		6.Capacity building and training were conducted on MFPs	
		7.Increase in daily wages to collect MFPs	
		8.Equal opportunity for men and women in harvesting and wages for MFPs	

		9. Organised a federation that guaranteed competitive prices and bonus for the communities for their produce collection	
		10. Any other….	

21.	Did you find any considerable difference in the prices of MFPs before and Present? 1. YES 2.NO If, yes, explain			
		MFPs	**Before INR**	**After INR**
		1.Tendu		
		2.Bamboo		
		3.Mahua		
		4.Honey		
		5.Gum		
		6.Any other		

22.	What is your personal feeling about the new role of GS regarding protecting your traditional rights on MFP really has a positive impact on promoting your traditional rights on MFPs and right to earn income from MFPs?	1.Very positive 2.Somewhat positive 3.Neutral 4.Somewhat negative 5.Very negative

	NEW Roles: **Human rights Centric Holistic Participatory Local Governance** This sub-section aims to explore the role of GP-GS with regard to participatory local governance in the context of PANTHER a human rights-based approach developed by UN Food and Agriculture Organization (FAO) in 2006 P- participation; A- accountability; N- non-discrimination; T-transparency; H-human dignity; E- empowerment; R- rule of law

	PARTICIPATION:	
23.	Did you attend and participate in Gram Sabha?	1.Frequently 2.Sometimes 3.Rarely 4.Never
24.	Did you fear/unconcerned to participate in Gram sabha?	**1.Yes 2.No**
25.	Did you believe that you have a favourable environment and right to active, free, and meaningful participation in Gram Sabha for all affaires related to your primary human rights?	1.Strongly believe 2.Somewhat believe 3.Somewhat not believe 4.Strongly not-believe

26.	Whether you have raised any question and made suggestions in the GS ever on rights based subjects?	1.I frequently raise questions and make suggestions 2. I occasionally raise questions and make suggestions 2.I rarely raise questions and make suggestions 4.I never raise questions and make suggestions
27.	What are the reasons that motivate you to take participation in the Gram Sabha?	1. GS gives me an opportunity for right to raise my questions related to our primary human rights 2. GS is the place where critical discussion and decision is being taken in the interest of villagers 2. GS is the forum where everyone is considered equal 3. GS is the most primary and closest pro-people institution at village level 4. GS is the place for gossiping and entertainment 5. Any other…………..
28.	Did you believe that the method of direct people's participation in local governance is important?	1.Extremely important 2.Somewhat important 3.Rarely important 4.Non at all important
	Accountability, Transparency, and Rule of Law	
29.	Whether your GP/GS takes accountability to inform villagers about new projects/schemes/decisions and news updates related to your basic human rights and village development?	1.Regularly informs 2.Occasionally informs 3.raraly informs 4.Not at all informs
30.	Whether your question or suggestion is considered by the gram sabha as per rule of law?	1. Considered after due discussion by the GS- 1.YES 2.NO 2. Rejected due to lack of common consciousness and public interest- 1.YES 2.NO 3. Debated and unanimously decided to have afresh discussion until logical end-1.YES 2.NO 4. Rejected without discussion and justification-1.YES 2.NO
31.	Whether the governance of GS to reject and recommend any of your question and suggestion for re-discussion is justified?	1.Always justified 2.Sometimes justified 3.Rarely justified 4.Never justified
32.	Did your Gram sabha conduct Social-audits of all the projects and schemes?	1.Regularly Conduct 2.Sometimes conduct

		3.Rarely conduct 4.Never conduct
33.	Did you believe that the office bearers of Gram sabha are doing their governance based on accountability; responsibility towards protecting human rights of local community?	1.Strongly believe 2.Somewhat believe 3.Somewhat not believe 4.Strongly not-believe
	NON-DISCRIMINATION AND EQUALITY	
34.	Did you experience any of the following discriminatory treatment based on Caste; class; ethnicity; gender; age; religion?	1.Participation in local governance-1.YES 2.NO 2.Partiality in decision making-1.YES 2.NO 3.Unequal representation in local governance bodies-1.YES 2.NO 4.Any other
35.	Does the GP-GS provide equal opportunity to men and women for the following?	1.Equal wage policy 1.YES 2.NO 2. Equal representation in local governance bodies-1.YES 2.NO 3.Equal employment opportunities 1.YES 2.NO 4.Freedom to participate and expression in all affairs of local governance 1.YES 2.NO 5.any other………………
36.	What is the level of women's participation in Gram Sabha?	1.Higher level 2.Moderate level 3.Lowest level 4.Not at all participation
	Human dignity and empowerment	
37.	Did you believe that you get equal respect and status as a human being in all affairs in the process of GS?	1.Strongly believe 2.Somewhat believe 3.Somewhat not believe 4.Strongly not-believe
38.	DID you consider that your GS offer special preferential treatment to certain people, group or community in the local governance processes?	1.Strongly consider 2.Somewhat consider 3.Somewhat not consider 4.Strongly not-consider
39.	Did you consider that the GS helps the common villagers to give power and authority to claim and demand their basic rights?	1.Strongly consider 2.Somewhat consider 3.Somewhat not consider 4.Strongly not-consider
	Promotion and protection of human rights: New roles, responsible factors and level of satisfaction	

		Factors	Preference 1;2;3;4;5
40.	Which of the following factors seem to be important for the emergence of new roles of GP-GS for the promotion and protection of human rights of forest and tribal communities? 5.Strongly agree 4.Agree	1.Implementation of PESA	
		2.Implementation of FRA	

3.fairly agree 2.Somewhat disagree 1.Strongly disagree	3.Both factors 1 and 2		
	4.Participatory local governance approach adopted by GS		
	5.Commitment, trust and struggle by the local leadership and villagers		
	6. Both factors 4 and 5		
	7. Any other….		
41.	Level of satisfaction with regard to the new roles adopted by the GP-GS in promotion and protection of human rights of forest and tribal communities?	1.very satisfied 2.somewhat satisfied 3.netural 4.somewhat not satisfied 5.not at all satisfied	

Section-III
To investigate locally relevant and socio-culturally appropriate participatory local governance strategies adopted by Gram Panchayats to safeguard inherent human rights concerns of FTC.

Sr.no	Question(s)	Response	
42.	What are the important locally relevant and socio-culturally appropriate participatory local governance strategies initiatives encouraged and incorporated by the GP and GS to safeguard inherent human rights concerns of FTC? 1.Strongly encouraged and incorporated 2.Somewhat encouraged and incorporated 3.Somewhat not encouraged and incorporated 4.Strongly not- encouraged and incorporated	**Locally relevant and socio-culturally appropriate participatory local governance strategies**	**Preference 1;2;3;4;5**
		1. Highest priority and encouragement to involve local women, youths and other marginalized groups in all affairs of local governance who were earlier excluded in the traditional panchyats.	
		2.Active involvement of local social leaders in the governance of gram sabhas	
		3. Encouragement for multiple open and transparent public debates and discussion in local language on local issues	

		4.Encouragement to collect meaningful subjects having thrust on local development and human rights issues such as PESA.,FRA, mining; forest rights; and gender equality		
		5. Encouragement to call Gram Sabha meetings as and when required by the villagers on any of the local issues		
		6. Made special efforts to ensure that the meetings are held at times when women are able to attend the meeting excluding harvesting and tendu collection days		
		7.Encouragement to resolve local level long-term collective struggles by the villagers on rights based issues		
		8. Due acknowledgement and consideration to the locally relevant issues discussed during local cultural ceremonies and gatherings		
		9. Conducted village survey and developed micro plan for the village on critical local rights based development issues		
		10. Any other….		
43.	Did you consider that GP/GS promotes local spiritual rights and utilize local traditional knowledge from tribes and forest communities in	**1.**Strongly consider **2.**Somewhat consider **3.**Somewhat not consider **4.**Strongly not- consider		

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	protecting livelihood and forest rights?	
44.	Did you believe that the following locally relevant practices adopted by the Gram sabha influence the participatory local governance at village level? 1.Strongly believe 2.Somewhat believe 3.Somewhat not believe 4.Strongly not-believe	1. a conflict-free and harmonious communication encouraged by the GS 2. a collectivist environment developed by the GS 3. GP-GS provides material/ information on development schemes and actual rights based local issues having focus on local language, geographic region and local community.

Section-IV

To study the pattern and significance of new transformative alternative democratic local governance structures emerging at grassroots level to protect and promote inherent human rights of FTCs.

Sr.no	Question(s)	Response	
45.	Did you consider that under distressing conditions such as illegal mining; corruption; political apathy, incidence of violation of HR and extremism you need few other alternative democratic local governance structures along with GP-GS at grassroots level to protect and promote inherent human rights of FTCs?	**1.**Strongly consider **2.**Somewhat consider **3.**Somewhat not consider **4.**Strongly not- consider	
46.	Did you agree that there are a few such new transformative alternative democratic local governance structures emerging at grassroots level to protect and promote inherent human rights of FTCs?.	1.Strongly agree 2.Somewhat agree 3.Somewhat disagree 4.Strongly disagree	
47.	Whether any of the following new transformative alternative democratic local governance structures emerging at grassroots level to protect and promote inherent human rights of FTCs?. 1.Actively emerged 2.Partially emerged 3.Emereged at primary level 4.Not at all emerged	**New transformative alternative democratic local governance structures**	**Preference 1;2;3;4**
		1. Maha Gramsabha(A Federation of Gram Sabhas)	
		2. The Sarpanch Sanghatna/federations of Sarapanchs	
		3. Mahila Panchayat Parisar Sangh (women's collectives)	

		4. Ilakha sabhas(territorial Assemblies)	
		5. Gram Dut(Villages agents)	
		6. Community Forest Management Rights Committees(CFMRC)	
		7. Gram Jangal Adhyayan Mandal(Village Forest Study Council).	
		8.. Any other….	
48.	How the patterns of new transformative alternative democratic local governance structures are govern?	**Pattern of New transformative alternative democratic local governance structures**	**Preference 1.YES 2.NO**
		1.are they informally functions with collective trust and social accountability	
		2. do they have formally structured pattern of executive body	
		3. are they formed with an commercial interest and or political	
		4. are they believe in community communication and organizes public hearing/ jan sunwai on crucial public matters	
		5. are their office bearers have rules to function specific roles and maintain minutes of the meetings	
		6. whether the executive body gets change after certain duration and provides equal opportunity to other members democratically	

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| | | 7.**does it** provides equal opportunity to women members in all level of governance | |
| | | 8.. **Any other….** | |

49.	Did you observe the significances of new transformative alternative democratic local governance structures that helps in protecting and promoting inherent human rights of FTCs?. 1.Considerably observed 2.Somewhat observed 3.Not much observed 4.Not at all observed	**Significances of new transformative alternative democratic local governance structures**	**Preference 1;2;3;4;5**
		1. Emerging as platforms to oppose anti-policies related to tribal-forest communities	
		2. Preparing rules and strategies for protecting rights related to forest, livelihood and economic resources	
		3. Helps to protect and conserve forests from the small and large corporations having pure capitalistic intention	
		4. Helps to prevent a large scale exploitation of the adivasis	
		5. helps GP/GS as a supportive democratic alternative institutions and think tank/knowledge base	
		6. Collectively opposes towards the violation of the rights of the FTCs under the PESA-FRA and create awareness on both the acts.	
		7. Questioning the mainstream development models and centralised decision making of the state.	
		8. Become a support group for women facing	

		oppression and violence within the family or the community and providing opportunity at local self governance	
		9. Community mobilization to make the state institutions, particularly the administrative institutions, accountable.	
		10. Initiated collective discussions on the role, powers, rights and responsibilities of a Gram sabha.	
		11. Acts as a pressure group on all issues related to local well-being.	
		10. Any other….	

Section-V

To examine multiple challenges encountering by local-self governance institutions in instituting and promoting human rights especially under the hostile environment due to extremist actions and alternative strategies for an active engagement of FTC to take ownership towards their development and human rights at grassroots level

Sr.no	Question(s)	Response	
50.	How important do you think are the determining factors for instituting and promoting human rights and development process by the GP and GS at local level? 1.Highly determining factor 2.Moderately determining factor 3.Least determining factor 4.Not at all determining factor	**New transformative alternative democratic local governance structures**	**Preference 1;2;3;4**
		1. Illiteracy, poverty and traditional mind set	
		2. Presence of extremist environment	
		3. isolated geographical location and remoteness	
		4.buracratic apathy at district administration	

		5.Any other…	
51.	**What are the important crucial challenges that your GP-GS facing under the tensed-extremist environment?** 1.Highly crucial challenge 2.Moderately crucial challenge 3.Least crucial challenge 4.Not at all a crucial challenge 5.do not say	**Crucial challenges that your GP-GS facing under the tensed-extremist environment**	**Preference 1;2;3;4;5**
		1. GP-GS are facing problems to perform their constitutional duties due to lack of free and fair environment	
		2. GP-GS executive members are always under fear and trauma	
		3. Lost of democratic and peaceful environment at local governance system	
		4. missing of democratic and peaceful environment at local governance system	
		5. Fear from both sides (state and extremist) to become a victim	
		6. Breakdown of public services to supply basic human rights of FTC	
		7. Serious difficulties to effectively implement crucial pro-public programs like PESA; FRA; MGNERGA; PDS etc	
		8. to maintain mutual trust and common understanding among the villagers and GP-GS is day by day challenging	
		9. Social tensions will lead towards a feeling of injustice among the common villagers	
		10. Tensions and distress if not managed properly lead problems	

		of poverty and alienation, of marginalisation of entire communities from the democratic processes		
		11.the fragment/wasted groups seek to capture the power of local administration to control the local social settings		
		12. Any other….		
52.	What are the alternative strategies for an active engagement of FTC to take ownership towards their development and human rights at grassroots level initiated by GP and GS? 1.effectively implemented 2.partially implemented 3.Least implemented 4. Not at all implemented	**Alternative strategies for an active engagement of FTC to take ownership towards their development and human rights at grassroots level by GP and GS**	**Preference 1;2;3;4**	
		1. Locally and culturally relevant strategies adopted by GS-GP to resolve and settle human rights issues jan(human); jal(water); janwar(animals); jangal(forest); jameen(land)		
		2. Effective methods of participatory local governance adopted by GP-GS help to create mutual trust, awareness among the villagers to fulfil basic human rights and strengthen democratic process		
		3. GP-GS facilitated favourable conditions to establish multiple alternative democratic structures at local level and incorporated		

		suggestions made by such alternatives	
		4. Integrated efforts to effectively implement crucial pro-public programs like PESA; FRA; MGNERGA; PDS etc	
		5. inclusion of and due recognition to suggestions made by local social leaders in all affairs of local governance with regard to primary issues related to human rights	
		6.efforts to minimise excessive policing	
		7.effective implementation of grievances of villagers with forest and district administration	
		8.transperant, accountable governance based on rule of law	
		9.Curruption free administration	
		10.implementation of non-violent, Gram-swaraj; self-rule based Gandhian philosophy in the local governance	
		11. persistence inclusive multi-stakeholder dialogue helps to create trust and collectivism for democratic governance	
		12.actice involvement of women and youth in all affairs of local governance	
		13. Involvement of NGOs; CBOs and socially relevant democratic groups	
		14. Any other….	

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Section-VI

To study the outcome and benefits of Gram Panchayats COVID governance strategies for promotion and protection of natural human rights of FTCs concerning to traditional livelihood/employment, customary businesses and health and food.

Sr.no	Question	Responses	
53.	DID you believe that during the crucial times of COVID whether GS played an important role in promotion and protection of natural human rights concerning to traditional livelihood/employment, customary businesses and health and food? 1.Strongly believe 2.partially believe 3.Least believe 4. Not at all believe	Key areas of intervention during COVID	**Preference 1;2;3;4**
		1. traditional livelihood/employment	
		2. customary businesses	
		3.Health and food	
54.	What are the alternative livelihood options implemented by the GS during the crucial times of COVID? 1.Strongly implemented 2.partially implemented 3.Least implemented 4. Not at all implemented	**Alternative livelihood options provided by the GS during the crucial times of COVID**	**Preference 1;2;3;4**
		1. Initiated forest fire line demarcation and forest patrolling to provide alternative livelihood	
		2. Construction of water bodies and maintenance of traditional water channels	
		3. Land levelling work on each family's private or CFRA land	
		4. GS approved to use its own fund to provide alternative livelihood	
		5. GP/GS helped to provide on demand guaranteed job card facility under MGNERGA	

		6. Equal wages to men and women and livelihood opportunities for migrant labourers	
		7. Convergence of livelihood schemes sponsored by state and central government	
		8. a forest pond and Nistar pond were made and fisheries businesses were initiated in these ponds for employment	
		9. tree plantation of variety of MFPs and ideogenous plants were undertaken following COVID appropriate procurations	
		10.Any other	
55.	What are the alternative policy measures regarding customary business implemented by the GS during the crucial times of COVID? 1.Strongly implemented 2.partially implemented 3.Least implemented 4. Not at all implemented	**Alternative policy measures regarding customary business implemented by the GS during the crucial times of COVID**	**Preference 1;2;3;4**
		1. Formed a Federation to carry out their minor forest produce collection and sales	
		2. Took special efforts and permission to collect Mahua and Tendu Patta, during the crucial times of COVID	
		3. Initiated collective bargaining and effective business management practices during COVID	
		4. Provided competitive prices and bonus for the communities for their produce collection	

		5. New sources of revenue generation through minor forest produce rights to harvest, sell and marketing		
		6. Harvested new medicinal plants for future investment		
		7. Developed new market linkages for minor forest produces		
		8. Any other		
56.	What are the alternative health related provisions implemented by the GS during the crucial times of COVID?	**alternative health related provisions implemented by the GS during the crucial times of COVID**	**Preference 1;2;3;4**	
		1. initiated community awareness campaigns about the precautions to prevent COVID including slogans on wall; local announcements and loudspeaker to share information		
		2. Village shopkeepers were issued a pass to bring some necessary grocery items and medicines		
		3. Provided emergency ambulance service and permitted trained health workers to accompany		
		4. Provided identity cards and passes to move in the village and forest with specific time duration		
		5. Created village level quarantine centers within minimum resources		
		6. Para health workers/ASHA workers		

		were trained along with village volunteers		
		7. Local level training and culturally appropriate strategies for awareness programs for vaccination, cheeking rumours and physical distancing		
		8. Developing trust between health workers and local communities		
		9. village level check posts and mobility management transport/mobile ambulance facilities		
		10. Coordination with block-district health machinery; emergence of village level volunteers training and capacity building strategies for women volunteers		
		11. Any other		
57.	What are the alternative food related provisions implemented by the GS during the crucial times of COVID?	alternative food related provisions implemented by the GS during the crucial times of COVID	**Preference 1;2;3;4**	
		1. Conducted surveys on families that were starving		
		2. Targeted intervention to provide PDS ration by Gram panchayats; door-to-door ration distribution strategies		
		3. Food bank; forest food to the needed; developed local food supply chains developed		
		4. Local forest based food security plans evolved		
		5. Integration with ICDS, MDM and PDS		

		at local level especially for small children and pregnant women	
		6. Women members organised a system of equal food distribution across villages.	
		7. Any other	
58.	To what extent do you agree or disagree on the benefits of Gram Panchayats COVID governance strategies for promotion and protection of natural human rights of FTCs traditional livelihood/employment, customary businesses and health and food?	**1.Strongly agree** **2.Somewhat agree** **3.Somewhat disagree** **4.Strongly disagree**	

Section-VII

To come out with actionable recommendations and suggestions in the existing local governance policies like Pandemic governance, Gram Panchyat Acts, FRA and PESA with special reference to promotion of human rights and local governance.

Sr.no	Question(s)
59.	What will be the possible policy suggestions in the existing Gram panchyat acts for its effective implementation with special reference to promotion and protection of human rights? (maximum five)
	Response(s)
60.	What will be the possible policy suggestions in the existing COVID Governance Plan for its effective implementation with special reference to promotion and protection of human rights? (maximum five)
	Response(s)

61.	What will be the possible policy suggestions in the existing Forest Rights Act(FRA)for its effective implementation with special reference to promotion and protection of human rights? (maximum five)
	Response(s)
62.	What will be the possible policy suggestions in the existing PESA(Act)for its effective implementation with special reference to promotion and protection of human rights? (maximum five)
	Response(s)

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