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policy brief

Decentralised Management of Water in Chhattisgarh: Role of Panchayats and PESA

Context

Inadequate access to regular and clean drinking water and insufficient water for irrigation are some of the pressing issues facing the tribal communities of Chhattisgarh, who make up 30.6 per cent of the population of Chhattisgarh, as per the 2011 Census. Rapid depletion of ground water, inadequate water conservation, iron and fluoride content in water and poor operation and maintenance of water infrastructure are some of emerging problems. The recent 69th Round Report of the National Sample Survey¹ shows that during 2012 among the rural areas of the bigger states, Chhattisgarh had the lowest (17.3%) proportion of households who got drinking water within the premises, and highest (82.2%) proportion of households who had to travel less than half a kilometre to fetch drinking water. Further the survey showed that 45 percent of Chhattisgarh's rural households mentioned that they treat drinking water, as compared to 32.3 percent of the all India average.

This scenario exists despite a number of programmes and schemes being implemented in Chhattisgarh to meet the drinking water and

irrigation needs of the state. It includes the centrally sponsored schemes like the National Rural Drinking Water Programme (NRDWP), the Integrated Watershed Development Programme (IWDP) and a number of major, medium and minor irrigation projects.

Significantly these programmes, as well as the Rural Drinking Water Strategic Plan (2011-2022), Draft National Water Policy 2012 and the Chhattisgarh State Water Policy, 2012 have specified the active engagement of panchayats and community in water management, which are endorsing the proclamations made under the 73rd Constitutional Amendment Act (CAA), 1992 and the Panchayats (Extension to the Scheduled Areas) Act (PESA Act), 1996. In addition as per the 73rd CAA, 1992 panchayats are responsible of the preparation and execution of drinking water, minor irrigation, water management and watershed management plans. Further under the PESA Act, 1996 and the Chhattisgarh Panchayati Raj Act, the panchayat's responsibility for the management of minor water bodies and that of the gram sabha for the management of natural

¹ Ministry of Statistics and Programme Implementation (2013) Key Indicators of Drinking Water, Sanitation, Hygiene and Housing Condition in India. NSS 69th Round, July 2012-December 2012. Retrieved on Dec 20, 2013 from http://www.mospi.nic.in/Mospi_New/upload/kye_indi_of_water_Sanitation69rou_24dec13.pdf

resources which are within that village, is clearly specified.

In practice however the devolution of water subjects to the panchayats, the engagement of panchayats and community in the management of water programmes, and the tribal community's management of minor water bodies in the Schedule V areas is far from what was envisaged. Within line departments, like the Public Health and Engineering Department (PHED) and Water Resource Department, despite the mandated specification of the engagement of local self governance institutions and community, there is insufficient will, capacity and systems to put the same in practice. Further the lack of effective implementation of PESA provisions in Chhattisgarh is leading to the exploitation of these critical natural resources (due to the absence of political will and supportive structural mechanisms) with operational rules still being made, and an ineffective and inactive gram sabha.

To address some of the challenges and to initiate reforms in the functioning of Panchayati Raj Institutions (PRIs), the Chhattisgarh Government in partnership with the European Union brought out the 'Road Map for the Panchayati Raj Institutions in Chhattisgarh' in 2012, which is being implemented on a pilot basis since 2013 in select districts. PRIA provided technical support for the preparation of the road map. The roadmap recommends the future path for decentralization and devolution through PRIs in Chhattisgarh, which includes strengthening decentralisation, administrative structure and accountability mechanisms of the PRIs, as well as recommendations for the effective implementation of the PESA Act, 1996.

In addition, since January 2012, a dynamic process of strengthening the gram sabha and panchayat's engagement in water management in the Schedule V area of Chhattisgarh, and the generation of demand for effective implementation of the PESA Act, is under way in four districts of Chhattisgarh.² The main tenets of the intervention include facilitation of the *rights based, integrated management of water* through developing a pilot of decentralised water

management, and ensuring it's upscale through demand generation and policy influence strategy.

Results Achieved

Some significant results achieved as part of the collaborative interventions included:

- Vision documents and annual plans on water prepared in five pilot panchayats of Korba District with the active participation of gram sabha members, panchayat representatives and the technical support group.
- Panchayats have mobilised about Rs. 1,40,00,000 (against the planned work of Rs. 4,14,29,000), by converging existing government schemes and CSR funds of industries for the implementation of the five water plans, for the year 2013-14.
- Creation and maintenance of water structures (nearly worth Rs. 95,00,000) and natural water sources, with active panchayat and community participation in the pilot panchayats.



- Generation of bottom up demand on decentralised management of water and effective implementation of PESA provisions, through the mobilisation of nearly 40,000 tribal citizens, including panchayat representatives, across 40 panchayats in four districts as part of a grassroots campaign on water and PESA.

² The intervention is a joint initiative of PRIA; Arghyam Bangalore; Social Revival Group of Urban Rural and Tribal-SROUT, Korba District; DISHA Samaj Sevi Sanstha, Kanker District; Path Pradarshak, Surguja District; and Jan Kalyan Samajik Sansthan, Rajnandgaon District.

- Creation of sustained pressure on, and the sensitisation of staff members of the relevant line departments and members of political parties on the effective governance of water and implementation of PESA provisions in the state and across four districts, through multi stakeholder engagements, research and campaigns.

Field Initiatives on Decentralised Water Management and Implementation of PESA

The interventions included a pilot initiative in Korba District to enhance capacity and participation of the gram sabha and panchayat members in the preparation of five integrated panchayat level vision documents and annual water plans; ensure access to financial resources for the decentralised water plans through interaction with line departments and industry; strengthening capacity of the panchayat standing committee (Education, Health & Social Welfare), activating sectoral committees (VWSC) and community collectives to monitor the implementation of the water plans.



To ensure outreach and generate demand for decentralised water management and implementation of PESA provisions, the lessons of the Korba pilot were shared through a grassroots campaign on PESA and Water, facilitated by partner NGOs in four districts. A

citizen survey on the status of water and gram sabha participation was undertaken in the four districts, with the findings shared and the discussion taken forward with the district officials, panchayat representatives, and CSOs during the three district multi-stakeholder consultations on water and PESA. In addition a short study on governance and management of water was undertaken to study the contribution of different service providers in addressing the water needs of the tribal community.



Further as a precursor to the Assembly elections in Chhattisgarh, a political commitment campaign was launched in 13 districts through the Jal Kendrit PESA Jagrukta Manch (a forum of tribal leaders, elected representatives, NGOs and social activists from 13 districts in Chhattisgarh), demanding commitment for rights to control and manage water resources by tribal gram sabha members in Schedule V areas through effective implementation of the PESA Act, 1996.

Suggestions for Scaling Up

Based on the learnings of the above mentioned interventions, to build an enabling policy environment and scale up the decentralised water management experience some operational steps are recommended at the level of the key government departments. They include the Public Health and Engineering Department (PHED), the Water Resource Department and the Department of Panchayati Raj, Government of Chhattisgarh.

Policy level issues

- Expedite time bound formulation of operational rules for the implementation of the PESA Act, in consultation with technical experts and practitioners.
- Setting up of an effective monitoring and reporting process for the implementation of PESA.
- Review and ensure necessary revision of the current activity mapping related to Subject 3 (minor irrigation, water management and watershed management) and Subject 11 (drinking water) of the 11th Schedule of the Indian Constitution.
- Strengthen the functioning of District Planning Committees in the state to support the decentralised planning process.
- Ensure effective and time bound implementation of the roadmap, as agreed by the state government.
- Strengthen capacity of panchayat representatives and their standing committees (including VWSC and WUAs) on PESA provisions, and aspects of decentralised planning and water management.
- Strengthen capacity of technical staff of water related line departments on decentralised planning and management, and on the provisions of the PESA Act, especially for schemes being implemented in Schedule V areas.
- Ensure development of panchayat level plans on water, in all existing water related programmes and schemes, with special focus on Schedule V areas.
- Make the panchayat level plan the basis for allocation of resources to panchayats from different water related schemes and other sources
- Promote convergence between line department led and panchayat led planning initiatives on water by incentivizing convergence through mutually agreed targets.

Administrative Issues

- Ensure regular and creative forms of sharing information on water schemes and services to panchayats and tribal communities by water related line departments.
- Activate and strengthen functioning of the Village Water and Sanitation Committees (VWSC)/Water User Associations (WUAs) as standing committees / sub committees of the panchayats.
- Engage the VWSC /WUAs and gramsabha members in planning, implementation, maintenance and monitoring of water structures in the area.
- Strengthen internal and external planning and monitoring systems in water related departments, on building community based water management systems.

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