



ASSERTING RIGHTS ACCESSING ENTITLEMENTS

A report on the implementation of the Project: "Increasing access to information on the Government Schemes and Entitlements in Backward Districts in Northern India" in East Champaran in Bihar





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Introduction

A lengthy bridge across River Gāndak connects with NH 28, a 570-kilometre long highway that cuts across eastern Uttar Pradesh and Bihar. The smooth highway stretches awkwardly across the backward districts it traverses.

On the highway, to the north of Patna the state capital is East Champaran - the second most populous district of the northern Indian state of Bihar.

East Champaran, which witnessed the country's first civil disobedience movement against the colonial forces, is now only recalled as one of India's most backward districts. To understand the politico-economic context of East Champaran, one needs to understand Bihar itself.

Bihar holds the unique distinction of being the least urbanised state in the country. Compared to states like Tamil Nadu where almost 50% of the population lives in urban areas, only 11% of Biharis live in cities. Far below the national average of 31%.

While caste doesn't disappear in urban India, in rural areas caste identities are of a different magnitude and they take on different contours.

Samajik Shodh Evam Vikas Kendra (SSEVK), is an organisation familiar with the socio-political realities of the region. In January 2014 SSEVK began working to collectivise Dalits in 60 villages of 13 Panchayats in Chakia block of the East Champaran district. This work was part of the project: “Increasing access to information on the Government Schemes and Entitlements in Backward Districts in Northern India” supported by the European Commission and anchored by ActionAid India in six districts across five states in India – Barabanki and Pratapgarh in Uttar Pradesh, East Champaran in Bihar, Latehar in Jharkhand, Jhabua in Madhya Pradesh and Chamba in Himachal Pradesh.

The project aimed at:

- 1) Increasing capacity and responsiveness of local administration and Panchayat Raj Institutions in providing information and access to public services to poor and marginalized.
- 2) Increasing awareness and capacity of poor and marginalised communities to demand and access information and public services.
- 3) Ensuring community based planning, monitoring, transparency and accountability practices are established to provide information and review

performance of public services and schemes with active participation of organisations of poor and marginalised.

4) Actively participating in advocacy effort.

The intervention is informed by the belief in the importance of:

- » Promoting the active agency of the marginalized community in accessing their own needs and finding their own solutions to their own problems.
- » Building solidarity with the poorest and ensuring that struggles for justice and rights begins from below.
- » Partnership with other civil society organisations.
- » Engaging policy-makers and implementing agencies.

Across all states and districts the intervention sought to build social practices amongst vulnerable communities around five points. One initial step was to build awareness and ensure access of public services, entitlements and rights through proper implementation of policies, schemes and laws. The attempt was also to initiate vulnerable communities into planning by developing village development plans through participatory planning processes. The community was also encouraged to review and monitor public services through processes such as social audit and public hearing. A system of knowledge management was initiated by setting up information resource centres in villages. The learnings achieved by the community

through these practices were channelled towards activating panchayati raj institutions on the issues of concern to the community.

In the four years since SSEVK began work in January 2014, 6900 Dalit families, 36,000 people within 35-kilometre radius were impacted by their work. This report seeks to draw out the best practices achieved and the lessons learnt from the project implementation in East Champaran district, Bihar.

Challenges and Lessons Learnt

The intervention and the related activities on the ground have received a great deal of cooperation from the community. However initially there was some resentment from the elected representatives, because they felt that this programme only sought to expose their corruption. However since many of SSEVK subsequent initiative sought to include elected representatives as well, the goodwill of the elected representatives was soon gained in accessing entitlements.

SSEVK's experience shows that the access to entitlements to most marginalized communities among Dalits can be greatly facilitated by encouraging dialogue and interaction between community leaders, government officials and women. Representatives from all these groups participate in state and district level interactions with the administration thereby sensitizing the authorities to community needs.

The SSEVK initiative shows that the involvement of community in planning process, review and monitoring of the schemes and making government accountable can bring the change. ■





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BEST PRACTICE I

Ensuring Implementation of Dalit Land Rights

In the villages of East Champaran, social segregation on caste persists. People belonging to the same caste live together and few marry outside of their caste. Villages are structured to suit upper castes - their houses are situated closer to water bodies and fields, and the roads in the near the areas where they live are better constructed. The extent of 'othering' (a term referring to the social practice of making or labelling a person or a group as subordinate) of the Dalits is evident considering how all Dalit homes are concentrated in the Southern part of the village. "Because the upper caste people did not want the winds that blow over Dalit homes to reach non-Dalit homes," explained said Amar, founder, Samajik Shodh Evam Vikas Kendra (SSEVK). "Even the air that blows over a Dalit was considered polluted. Dalits still inhabit the Southern corner of every single village."

Even among Dalit communities there are internal hierarchies. In these regions, the Musahar community occupies the most subordinate position within Dalit communities. The Musahars were traditionally rat-catchers, but today they are mostly landless agricultural labourers. The community lives in Bihar, Uttar Pradesh and in the Terai region of Nepal. There

is a concentration of population to be found in East Champaran and West Champaran, both districts share a border with Nepal.

SSEVK team began its work in the area by encouraging the formation Dalit Adhikar Morcha (DAM) -- a community-led organisation with the initial objective of improving the delivery of public service schemes in Chakia block, East Champaran district. More than 80% of the members of DAM are women. As they started work in the area, activists realised that the primary need of the Dalit community was land. "Land ensures food supply, livelihood, dignity and stability," Prabhu Ram of Bedhiban village.

According to 2014 National Sample Survey Organisation numbers, approximately 67% of the total land in Bihar is owned by 97% of the land-owning community. There are large numbers of landless labourers and absentee landlords. Agricultural output remains negligible though the agricultural sector employs about 73% of the workforce in the state. Agriculture's contribution to state's domestic product is only 33%, people dependent on farming are not able to sustain themselves on what they produce and what they get for their work.

Land reform was recognized as the major hurdle in their region and DAM shifted their focus on land rights. Of the 13 Panchayats that they worked in, they met with considerable success in two villages. 20 Dalit families in Chekaniya village got access to land and Beria village saw 12 Dalit families cultivating in the lands that they own.

Owning land is a way to ensuring the community's food security and dignity.

SSEVK's effort was not just against one of the most exploitative practices of caste, but also one of the most contentious issues in the history of independent India, land reform.

Beria - a success story

Beria village is where the project in East Champaran saw one of its most successful operations. On the 4th of February 2015, twelve Dalit families occupied seven and a half acres of land that was entitled them. The process of occupying the land was rather dramatic. Heavily guarded by the police and amidst a cavalcade of cars that carried local officials, some Dalits began constructing their shanties on their lands.

In other circumstances, hired musclemen would drive them away. But, on this day, under the full glare of the village community and state machinery, no one could harm the Dalits. "When we occupied our lands, we felt as if we were creating history," says Ram Badan.

To a casual observer it might seem peculiar that the rightful owners of the land need police protection to cultivate their own land, but such are the caste realities of Bihar. "We are not used to talking back to the upper caste," said Ram. To take back their lands in the face of imminent physical violence is remarkable.

While speaking of oppression, Dalits regularly refer to "Dabangs" in their communities. Dabangs or musclemen are sometimes those recruited by the upper caste landlords but are sometimes land owners themselves. They are often said to be lathi or gun-wielding. In the face of such musclemen and facing physical danger to their lives, the Dalits had indeed created history.

According to Prabhu Ram from Bedhiban village, a member of DAM, the determination of a few honest bureaucrats and police presence made the occupation possible.

But, traditional land owning castes have found another way to stall the process of handing over lands to the landless.

Promoting land rights

Between 2014 and 2017, DAM identified 293 other families who had land documents but no possession. However, the administration has enlisted only 185 of them as eligible for land.

The rest of the cases are under litigation. "The minute the fight goes to the courts, the costs shoot up," said Amar. "And most Dalits cannot afford it."

ActionAid and SSEVK have worked with the community to reclaim agricultural and homestead land through the following processes:

- » Built awareness about the agricultural and homestead land and people's rights to own it.
- » Helped the community identify beneficiaries, especially women without land, to reclaim the land.
- » Identified agricultural and homestead land in areas of the project intervention in East Champaran.
- » 60 village level collectives have been formed and more than 100 community leaders of these groups have been trained to prepare documentary evidence and file for reclamation of land.
- » Pressurised the local government through campaigns and distribution of leaflets.

As a result of this

- » 3267 Dalit families have applied for agricultural and homestead lands and out of them 185 have received land. The local community will continue this work until much more land has been reclaimed.
- » In the last four years 93 women are now owners of land, being able to support their families. ■





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BEST PRACTICE II Creating Village Development Plans

While talking about the work Dalit Adhikar Morcha (DAM) has done in the past four years, one of the most vocal is Gangaiya Devi from Bangdi village of Harpur panchayat. Clad in a saree with her head covered, Gangaiya Devi speaks authoritatively about surveying the villages. DAM brought about a change in the society by bringing about change among their own members first, she said. "I used to observe purdah earlier and I was not confident of speaking with anyone at all," said Devi.

Even though she has studied till Class X, a rarity in these parts for a girl, she always let her husband to do all the talking in public fora. As she began interacting with other women in DAM, she found her voice. "I even help upper caste women get their share of grains from the Fair Price Shop," she smiled. "Even they are afraid to speak to the shop owner. I am not."

For a Dalit woman who is otherwise relegated to the kitchen to go from door-to-door and ask questions in the village is more significant than one can imagine. But, Devi is articulate and confident. She, along with other volunteers, began sketching a map of the

village - full with its demographics and natural resources like water and land.

They also used participatory rural analysis (PRA) tools to mark out social and economic backgrounds of the villagers, calling it wellbeing analysis. And finally, they created a list prioritizing the problems of the people. It was important to understand what problems to tackle first.

In October 2014, the central government launched Sansad Adarsh Gram Yojana, a rural development programme focusing on social and economic development of the villages. Under this programme, each Member of Parliament is encouraged to adopt a village and make it a model one.

The process of formulation of village development plans (VDPs) was facilitated in 60 villages in 13 panchayats. In all villages members of DAM actively took part in participatory planning processes, participatory processes of monitoring and engagement with panchayati raj institutions (PRIs) to strengthen development planning for village and panchayats. These

planning and participatory monitoring by community members contributed greatly to the quality of plans, the community access to public services and efficiency of programme delivery by the system.

Building linkages with various departments like rural development, drinking water and sanitation, public health and engineering, irrigation and forests,

helped convergence between village level plans and annual district plans. Samajik Shodh Evam Vikas Kendra (SSEVK) and ActionAid India (AAI) provided hand-holding support to the communities in submitting these gram sabha resolutions to the district officials and obtaining technical, financial and administrative sanctions to implement the plans. (See Table 1). ■

Table 1: Details of village Development Plan

| Resources | Village development Plan | |
|-----------------|--------------------------|------------|
| | Prepared | Sanctioned |
| Link Road | 18 | 18 |
| PCC Road | 37 | 21 |
| School Building | 2 | 2 |
| Water Pumps | 135 | 87 |
| Solar Light | 60 | 36 |
| Toilets | 2311 | 261 |
| Canal Repair | 22 | 2 |





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BEST PRACTICE III Conducting Social Audit and Public Hearing

Corruption is possible only because of secrecy in bureaucracy and government. In the 1990s, during the movement seeking the right to information, a non-profit organisation in Rajasthan, pioneered the concept of public hearings in India, this was a tool that would lift the lid on government spending and programmes.

Dalit Adhikar Morcha (DAM) used the concept of public hearing and tried to obtain official documents that had details of government programmes like old age pension, widow pension, employment records and other social security measures. Some of the documents were available to them on government websites. However, Bihar government is a late entrant to the online space and a lot of the documents need to be acquired in person.

Even though governments are encouraged to put out documents in the public domain, DAM had to still file RTI applications to access some of them.

These documents were then compiled and rigorously analysed. It was noticed in the Village Development Plan for Chaap village, that the Dalit parts of the village

were not electrified at all. All the areas surrounding it had electricity. Samajik Shodh Evam Vikas Kendra (SSEVK) followed up with authorities persistently to ensure that all neighbourhoods of Chaap are electrified.

Another major success of SSEVK and ActionAid India's work in East Champaran is in ensuring that all communities of the village sit together to audit their panchayat's accounts and spending in front of the whole village. This is a process called social audit. Since all the caste groups have to distribute the limited resources of the village, the lower castes used to be very vulnerable.

"Today, we sit with all the castes and decide what is best for the whole village and not just on the basis of caste," said Devi.

In 2016, they held a Public Hearing on the Public Distribution System. Since then, owners of Fair Price Shops have been scared to hoard grains and sell them in the black market. Those entitled to those grains get access to it now. Women in Beria village testify to this fact. "We get rice, wheat and oil from them. We now

get enough to feed our kids," they said syanding in a group. But, what is the quality of those grains? "Pretty good," one shouts out. "We are satisfied."

After the Public Hearing in Kuwava village, the Sub-Divisional Officer called a meeting of all the Fair Price Shop owners. He, along with other officials, went

to the godowns where the grains are stored. Their intention was to check the quality of grains stored. However, they found that the godown was locked and the man who had the keys was missing. The SDO took immediate action and suspended the godown in-charge. ■





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BEST PRACTICE IV Setting Up Information Resource Centres

In order to streamline the flow of information and to better reach all sections of the population, setting up of Information Resource Centres in all 13 panchayats was the first job when Samajik Shodh Evam Vikas Kendra (SSEVK) and ActionAid India (AAI) started working in the region. This was important to ensure information on government programmes reached the poor and more importantly eliminate middlemen who charged cash to fill out forms for an unlettered population.

In 2014, SSEVK held a meeting with all the panchayat members and the Sub Divisional Magistrate in Chakia. Close to 1000 people attended it. During the meeting, they introduced the idea of a Village Development Plan (VDP).

Until the early 1990s all plans for village development were being made in Delhi. After the Panchayati Raj Act was passed, the development planning was transferred to the panchayats. However, this still did not democratise the system. The Panchayat members, who were mostly upper caste, devised a plan on behalf of the entire panchayat. SSEVK explained to the villagers that it was time to take matters into

their own hands. They needed to be actively involved in planning development activities in their villages.

Before 2014, Gram Sabhas (village assemblies) were non-existent or cosmetic in these areas. SSEVK had their task cut out when they found themselves explaining to the villagers that they should hold at least four Gram Sabhas every year. Gram Sabhas in these regions were held with minimum people required, while the idea of a Gram Sabha is to include every adult in the village.

The four governments mandated Gram Sabhas - 26th January, 1st May, 15th August and 2nd October - were held as a formality.

Villagers were not informed about an upcoming Gram Sabha, it was held by a few officials and papers were signed. But, after the VDPs were made, it became imperative to get a functional Gram Sabha, so that the various plans could be approved and money sanctioned. Dalit Adhikar Manch (DAM) began pushing the Mukhias or the Panchayat leaders to hold Gram Sabhas. "Gram Sabhas had become a joke in our areas," said Gangaiya Devi.

Table 1: No. of cases supported by Information Resource Centres for access to public schemes

| Schemes | Application Made | People Benefitted |
|-----------------|------------------|-------------------|
| Old Age Pension | 1229 | 965 |
| Widow Pension | 176 | 169 |
| Indira Awas | 257 | 192 |
| Land Possession | 293 | 185 |
| Hand Pump | 135 | 70 |
| Solar Light | 60 | 36 |

What helped in this process of kick starting Gram Sabha functioning, were the awareness generation programme launched in 2014 and 2015 on various government schemes including the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Homestead Land Scheme and Social Security Schemes. "Today, the people demand for Gram Sabhas to be held," said Amar, Founder of SSEVK.

Every year, since 2014, sensitisation workshops were held for Panchayat members. During these workshops the point that there should be greater

engagement between the people and the Panchayati Raj Institutions was always emphasised.

However, their biggest success has been in changing proxy administration by husbands of women mukhias. A specified number of seats are reserved for women to be elected as heads of Panchayats. In these constituencies, even though a woman contests election, her husband becomes the proxy administrator. In many cases, the voters decide who to vote for depending on how credible the candidate's husband is. ■





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BEST PRACTICE V Activating Panchayats

Dalit Adhikar Manch (DAM) has worked to expand democracy. In order to gain greater influence, they felt the need to enter electoral politics. One of their most enterprising members, Narendra Ram, took it upon himself to not only criticise the flaws in the system but to reform it from within. Ram, a Dalit, contested panchayat elections from his village Sagar, which was not a reserved seat. This meant that the villagers did not have to choose a Dalit. He was pitted against stronger upper caste men. "When he went out to campaign, people asked him why he even bothered. They would all vote for him anyway," said Kishan Pandit, a resident belonging to the upper caste.

But, since his work with DAM in the past two years were appreciated by everyone in the village, he was elected Mukhiya in 2016.

Sagar is only 15 kilometres from Chakia and has two railway lines running through the village. Despite that, there the practice of untouchability persisted in the village even until recently. Dalits were not allowed to offer prayers to the same god as the upper caste people. Dalits had different hand pumps and wells to use water from. In this context, for a Dalit to be chosen

the Mukhiya is a significant victory. Not just for Narendra Ram, but for the fight against caste discrimination itself.

Ram credits his victory to the Information Resource Centre he set up in a small shed next to his house. People flocked his shed made from dry coconut leaves and sought his help in filling out different kinds of forms.

He now caters to four villages in his panchayat - Sahasi, Sagar, Saundra and Maharani. Since he was elected, pension holders in the village have little to complain about. Every single person eligible has been ensured their pensions reach them. Except for those who have had trouble getting their Unique Identification Cards or Aadhar Cards. For instance, Kishan Pandit's pension passbook shows that his pension has been stopped ten months ago. A total of 113 old age pensioners and 16 widow pensioners have received pensions. Now, Narendra Ram and others are trying hard to make Aadhar cards available to all, so that their payments are not stopped.

For that, Narendra Ram set up a Aadhar centre in his panchayat. Additionally, he opened everyone's bank account in the near by bank. ■



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