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# 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 Latehar District, Jharkhand







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### Introduction

Latehar is a seemingly nondescript district in western Jharkhand, which is four times the size of India's commercial capital, Mumbai. However in contrast Latehar is recognised mainly for its prominent presence in India's most backward districts list.

Through the 1990s and the first decade of this century, many Indians introspected on why some districts of the country are more backward than the rest. A resounding answer was lack of information on government benefits and programmes. In order to address that, ActionAid and Vikas Sahyog Kendra with the support of European Commission in January 2014 started work in Manika block of Latehar. Work in Latehar was part of the project: “Increasing access to information on the Government Schemes and Entitlements in Backward Districts in Northern India” was 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. Vikas Sahyog Kendra (VSK) anchored the project in Latehar. The project extended to 42 villages of 8 panchayats in Manika block.

Located 130 kilometres North West of Ranchi, Manika is a largely untouched, forest region. The 82 villages in the block or the sub-district are administratively defined as Schedule Areas, which are “areas and tribes needing special protection due to historically disadvantageous conditions” according to the Indian Constitution. There are several pro-poor policies of government like laws such as the Panchayats (Extension to Scheduled Areas) Act (PESA), Forest Rights Act, Right to Education Act, Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) for livelihood, as well as entitlements (food and nutrition and employment) for the tribal communities in Jharkhand but they are not working properly especially in the Latehar district.

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 was channelled towards activating panchayati raj institutions on the issues of concern to the community.

The sheets in this folder detail the following best practices achieved in Latehar district, Jharkhand:

- Best Practice I – Ensuring Implementation of Forest Rights Act
- Best Practice II – Creating Village Development Plans
- Best Practice III – Conducting Social Audit and Public Hearing
- Best Practice IV – Setting Up Information Resource Centres
- Best Practice V – Activating Panchayats

## Challenges and Lessons Learnt

The sustainability of the alternative depends upon people's participation. The initiatives therefore need to be scaled-up and institutionalized. Community mobilization and support from local administration at all levels has been a significant contributor to the initiative's success. A significant factor that makes the Vikas Sahyog Kendra effective in dealing with issues related with poor governance is its strategy to working together on a commonly constituted agenda with the other civil society organizations and the communities. This common objective approach and agenda has been established. The VSK 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 Forest Rights Act

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was passed to restore the traditional rights of India's forest inhabitants.

According to FRA's preamble, the Act was passed to correct the "historical injustice" committed by the governments to the forest dwelling communities. Forests were used by the government to earn revenue and forest dwellers were evicted under the garb of environmental conservation. Millions of people who lived in and off dense jungles for generations were denied their rights to those very forests. (See Box)

Forest dwellers were forced to pay bribes to the Forest Department Authorities to live inside the forests. When they failed to do so, they were hounded out very often. The Act recognises that tribal communities use and manage forests much better than the government ever could.

Even though the Act was passed in 2006, rules were not framed till two years later. Even about a decade later, FRA is one of the worst implemented laws in the country.



**"We are adivasis. We care more about our jungle," said Sanchiri Devi from Lanka. "We want our jungles. The entitlements will be here today and gone tomorrow," she said. "But our jungles will stay with us for generations"**



In Lanka village, the police beat up people under the pretext of Naxals. For those who claimed their forest rights were not only beat up, their caste certificates were torn up thus making them ineligible for government benefits.

Vikas Sahyog Kendra (VSK) had their work cut out. First, they needed to inform the people of the Act and then convince them of the importance of such a legislation. The hope was that the villagers would then knock on the doors of reluctant authorities to push documentation through. The two-fold process, as we would see, was achieved with great determination. In 2014, VSK went about setting up Forest Rights Committees (FRC) in the villages. According to the Act, these Committees advise the Gram Sabha about the forest claims that villagers make. The Gram Sabha is a meeting of all adults who live in the area covered by the Panchayat.

In order to familiarise the villagers with the FRCs and its duties, volunteers used traditional information dissemination tools like street plays or *nukkad nataks*, community songs and a series of meetings. Also the capacity building of the implementing authorities at various levels were done. No one knew how to constitute an FRC. "In 21 villages, we had to reconstitute FRCs according to the rules," said Awdesh Singh, a colleague with VSK.

Under the FRA, forest dwellers can claim forest rights as a community or individual rights. VSK encouraged community claims as that would ensure a larger portion of land. But, community forest rights or CFR have a more tedious application process.

## Community struggle for community forest rights in Donki Village

As early as in 1981, the entire village of Donki came together and formed 20 member teams to map out their forests. This was the first step to protecting them. The move is remarkable for a distant forest village whose population is now 1200. At the height of the Forest Conservation movement, which gave undue powers to the Forest Department, these men and women showed courage to collectivise against their exploitation. "We wanted to re-claim our forests from the tentacles of the authorities," said Vasudeva Oraon, who is now the secretary of the Forest Rights Committee.

But, they could not stand against the might of the government. Their forests were cut down by the authorities in spite. "Everything was gone, minus the bamboo shoots," said Oraon. He alleged that the authorities had paid money to some people from the village to burn down the woods.



Awdesh Singh

In 2004, when the Forest Rights movement was gaining steam in the entire country, they gathered in front of their Panchayat building, under a massive Mahua tree. Every villager swore to save the forest that is their life and livelihood.

Forest dwellers use wood for every purpose. From helping a woman through labour pains to cremating the dead. "We build houses from the timber we get in the forest," said Subedar Oraon, president of the FRC. The village got together and set limits on how much timber can be procured from the forests to build their houses. Each person who is building a house is given 30 blocks of wood and 100 bamboo steams. "Not a block of wood more!" said Subedar Oraon (Member of the Forest Rights committee).

The roofs of the houses are made from tiles which need to be baked in fire for strength. The villagers use small branches that fall from the tree to burn their tiles. "We do not cut trees for that," smiled Vasudeva Oraon. In fact, if a person in the village wants to renovate a house, a committee of village elders go to his house and cross check his claim.

Since the village is small, compared to the large tracts of forestland it is surrounded by, the village Pradhan appointed a Forest Guard. His job is to walk in different directions within the forest for about three times a day. The villagers contribute one rupee per day each to pay the guard. "Those families that cannot pay one rupee a day give me a fistful of rice per day," said Ramdayal, the first guard. Ramdayal has proven his vigilance many times to the villagers. On many an occasion, he has complained to the villagers about trees being cut. A quorum of village elders then decides the fine that the transgressor has to pay. If a small tree was cut the fine is smaller and the fines can go up Rs 5000, which is almost a whole month's earning for many villagers.

In a village with so many active participants, VSK had a foundation laid for them to build on. After VSK began working with the villagers, they were encouraged to give legal sanction to their already brilliant plan to protect their forests. In June 2015, they claimed their





Ramdayal Oraon

CFR in four separate patches around the village of 120 acres, 383 acres, 128 acres and 118 acres.

On 9 March 2017, they received their titles and on 15 August they got all the relevant documents. Today, the village has claimed rights over 873 acres of forestland surrounding their village. They have received rights for about 750 acres until now.

This is a massive achievement in comparison to Forest Rights claims in other states of the country or

Table 1: Details of individual rights achieved under the Forest Rights Act

	Eligible Household		Patta Received	
	No of H.H.	Land (in acres)	No of H.H	Land (in acres)
Individual Rights	613	1411	549	1107.50

even in comparison to other districts of Jharkhand. It is important to note that VSK's role in the village was not limited to filling out claim forms. VSK was actively involved in training the Gram Pradhans or traditional village head. "Now we do our own form filling and help neighbouring villages also. This was required to ensure that we are self reliant," said Gopal Oraon, Gram Pradhan.

Impact

After three years of perseverance, Community Forest Right claims were secured for six villages in four panchayats. (See Table 1) Villages has been granted right to protect and manage community forest resource under FRA over 1629.2 acres. ■











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## BEST PRACTICE II Creating Village Development Plans

In order to ensure that the plan is really responsive to local needs and people's priorities, there has to be detailed Situation Analysis covering different aspects, themes and sectors related to local level development.

The Vikas Sahyog Kendra (VSK) team started with the building the capacity of gram sabha member with special focus on women and youth on inclusive development and planning process through trainings. During the training the possibility of strengthening transparency in decision making through sharing of information with Gram Sabhas; and the scope for bottom up participatory planning which could help align public resource allocation with locally felt needs and priorities, mediated by democratic decision making were also discussed.

The process of formulation of village development plans (VDPs) was facilitated in 42 villages in 8 pan-chayats with the support of youth volunteers by the VSK team. Meetings were conducted in 42 villages to prepare new plan for the current year. The participation of sarpanch (head of village council),

pradhan (head of block council) and PRI members was ensured during the meetings. The community based organisations and community leaders mobilised the marginalized communities to collectively reflect on their situation and define their needs and how best to meet them by using participatory rural appraisal tools.

First, demographics of the population in the village. The aim is to understand the number of men, women and children of different age groups. The village is divided by ethnicities. Marking different ethnic groups of the map was the next step. They called this process social mapping.

Then they mapped out the natural resources - such as the agricultural land, water and forests - and termed it resource mapping.

Once they knew who lived in the village and where the natural resources were, they tried to find out who among the villagers were worse off. Their "well-being analysis" threw up the economic status of the villagers, which was also recorded on the map.



**Table 2:** Details of sanctioned schemes prepared in 2014 and implemented in 2015-2016

Land development			Irrigation	Rural infrastructure	Individual schemes					
No. of beneficiaries	Area covered (in acres)	No. of well/	Pond	No. of roads	Cattle shed	Goat Shed	Pig shed	Poultry shed	Compost pit	Total
243	397	98	26	16	135	216	6	84	14	838

Each plan includes basic data on the gram panchayat wise geographical area, social structure, statistical details on panchayat, village map, information on education, health, migration cycle, agriculture, crop cycle, natural resources etc, and these exercises were also informed by the baseline survey. Detailed village development plans were prepared through these exercises, which helped in the analysis of the village's problems and formulating an action plan as suggested by the villagers. Once the map and the situational analysis are finalized, they are presented to the Gram Sabha, which either accepted the proposal or not.

### Village Development Plan of Patna village

There are 255 families in Patna village. Patna village's map has caste, ethnicity and economic class mentioned. Each person in the village was asked to list out problems in the village. The top four problems were water availability, toilet, pension, education. The volunteers found it to be rather strange that fresh water was a problem in a region with many rivers, lakes and forest cover. Probing further they realised the problem was not availability of water, but the unequal distribution of available water. Patna village has four hamlets or tolas. While some of the hamlets have two hand pumps to draw ground water, others have none. It was no coincidence that those with more hand pumps had richer, better-connected people. The poorer families were digging unto 200 feet below ground level to reach water.

The VDP brought this problem to the fore. And the next step was to propose a water harvesting system for those areas that house the lesser privileged. Under the Rural Employment Guarantee Schemes, they proposed a plan that would ensure water supply to the neglected parts of the village. To their satisfaction, the Gram Panchayat accepted this proposal and work began.

### Impact

Out of the 42 villages in eight panchayats that VSK worked in since 2014, Gram Sabha proposed 1604 community related projects, of which 838 were accepted by the relevant government authorities. (See Table 2)

3117 family related projects, such as rural houses, fencing their farms etc, were proposed. And about half of them were accepted. Of the 1899 individuals who appealed to get their personal work sanctioned, 1221 were accepted.

The figures show how the wheels of the panchayati raj institutions began turning when the people took initiative.

The success of Village Development Plans in Manika can be gauged by the fact that the Chief Minister of Jharkhand, Raghubar Das, launched a programme called 'Yojna Banao Abhiyan' in December 2015, which is similar to the VDPs that VSK has been working on. The Chief Minister's programme seeks to "link people living in rural areas with project planning activities and provide them opportunity to write development story for their villages." ■







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### BEST PRACTICE III Conducting Social Audit and Public Hearing

Once the community had a fair idea of who inhabits the village and what their problems are, the next question was to unearth the government programmes that target these village populations. The problem was not a dearth of social security programmes, but their accountable implementation. "Our aim was to curb corruption, make government officials accountable and thereby strengthen democracy," said Devlal Bhagat of Manil Village.

Social Audits are now widely accepted as an important mechanism to address corruption and strengthen accountability in government service delivery.

In Manika block of Latehar district, the social audit process was used to review and monitor the government actions on the ground in implementation of National Food security Scheme, Social security Scheme and Right to Education Act. To facilitate this process the Vikas Sahyog Kendra (VSK) team trained community leaders and volunteers to design the conduct of these social audits.

The first step to setting up the social audit process in the panchayats was to develop a pool of trained com-

munity leaders. In the year 2014 and 2015 training sessions were organized for the community leaders and VSK created team for doing this audits. The social auditors were youth from beneficiary families of said schemes who, the team felt would have a stake and thus would be actively involved both in conducting the audit as well as taking lessons from the audit to continue monitoring the program after the audit.

In 2014, they conducted a social audit on Adivasi Vikas Yojana, a state government scheme for the betterment of the tribal community. The following year, they conducted a public hearing on the Right to Education Act. And finally last year, they called forth the villages to hold a public hearing on pension benefits and food security.

#### **Impact of Social audit – Right to Education**

After nearly 8 years of the enactment of the right to education act, there is still limited awareness regarding the act in the tribal area of Jharkhand. In the Latehar there are many children who are still out of school and many other children are falling victim to child labour because the authorities have not implemented



the Right to Education in all seriousness that could allow children a chance at education and better future. In 2015, the VSK chose 42 government schools to monitor according to the provisions of RTE Act implementation. Village meetings in 7 panchayats, capacity building of SMC members and meetings with government officers were carried out through social audits to map the status of implementation of RTE. On the December 30, VSK held a public hearing. The hearing was focused on non-implementation of the right to education act and cases of denial in admission to school, lack of infrastructure facilities, lack of drinking water facilities, providing bad quality mid-day meal and poor pupil –teacher ratio were highlighted. In this public hearing community members, Government authority and civil society members were invited.

## Impact

All through 2016, through social audits and public hearings the community ensured that:

- >> Teachers were recruited in 7 schools as per student teacher ratio.
  - >> Improvement in Mid day meal in all 42 schools. Fruits and eggs have been included in Mid-day meal.
  - >> 4 schools constructed separate toilets for girls and boys.
  - >> 40 schools made arrangements for clean drinking water.
  - >> Government authorities who are mandated to check the facilities in these schools did their jobs. Also, mid-day meals were provided as per government prepared menus to ensure enough nutrition to the students
- Similarly social audits and public hearing on the implementation of National Food Security Scheme and social security scheme were organised in 42 panchayats. As a result:
- >> 2304 new ration card were made for eligible families, who were left out and 7212 families are receiving rations regularly
  - >> 600 extremely poor people from Antodaya Anna Yojana
  - >> 107 people with disability benefited from Disability Pension Schemes
  - >> 76 widow women benefited from Disability Pension Schemes
  - >> 462 elderly people benefitted from Old Age Pension Schemes. ■







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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, Vikas Sahyog Kendra (VSK) set up Information Resource Centres (IRC) in all the 8 Gram Panchayats they were working with. All the centres (non-ICT based) are run by village volunteers. These centres acts as interface between local villagers with the block administration, provides information and facilitation of application process related to various entitlements

One of the main problems that VSK encountered was to find a place for the IRCs. In the project area, there was only one Panchayat which had a building. All the other Panchayats were functioning in other government buildings. So, in places like Ranikala village, the IRC was set up in the house of some villagers.

Utilising the one existing building in Namudhar panchayat, VSK set up the first Information Resource Centre. Application forms for all government schemes were stocked up, pens, note pads and stamp pads were kept in the IRCs. One volunteer sat through one whole day every week to answer queries of villagers on government programmes.

Soon, there began to be queues in front of the IRCs. Earlier the villagers ran away from the Panchayats, as they saw it as a symbol of the state that would extort money for everything including filling up forms. "We paid money to fill the form, we paid money to file the form at the relevant place and we obviously paid money to get the concerned work done," said Awdesh.

Some villagers come to the IRC to even get a stamp pad. Most people do not have access to even that. In many villages, where panchayats did not have buildings, generous villagers let out their homes for IRCs to be set up. Such was the community participation in this, that people were willing to take responsibility of the IRCs without any compensation to them. "The hunger for information that we saw blew our minds," said Manoj Kumar Singh of VSK. "IRC's began to cut Panchayat's red tape," he added.

The IRCs played a catalytic role as change agent by enabling PRI's to link with governmental programmes and schemes, by facilitating access to other institutional frames and development actors. As a result, IRC's have provided a rich reservoir of cases,



**Table 2:** Details of cases supported by IRCs for access to public schemes

Name of Information Resource Centre	Application Made						People benefitted
	MGNREGA	PDS	FRA	Pension	Other	Total	
Janho	1432	321	4	240	76	2073	1726
Namudag (Panchayat Buiding )	1261	3	0	6	6	1276	1272
Kope	416	321	136	122	19	1014	806
Rankikala	381	103	405	188	14	1091	1007
Palheya	201	5	26	167	17	416	170
Manika	322	9	4	9	4	348	271
Donki (Panchayat Buiding)	563	130	26	296	12	1027	790
<b>Total</b>	<b>4576</b>	<b>892</b>	<b>601</b>	<b>1028</b>	<b>148</b>	<b>7245</b>	<b>4811</b>

models and innovations on issues like how PRI's promote better utilization of resources, what hinders/promotes, women's participation in Gram Sabhas and in Gram Panchayats, etc. (See Table 3) These Centres become especially important in panchayats where the Sarpanch or the Mukhiya is not assertive enough or is prone to corruption.

In most villages of the project locations Panchayats and Panchayat Information Centre have strong links. In many cases information resource centres have played a key role in getting the entitlements to the communities and building the capacity of the elected representatives related to entitlements. Mukhiya's and ward panches are aware about the, preparation

of village development plan, information resource centres etc. Many mukhiya's and wardpanches of the villages seem to be influenced by the functioning of the Panchayat Information Centres and sought advice from the information resource centre. The IRCs seems to have developed as a strong civic association interfacing with the institutions of decentralized governance.

People did express that panchayat was an important institution for them because it was the route to access development resources from the state. People thought IRC had a very important to keep the pressure on panchayats to work well for the entire village. ■







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### BEST PRACTICE V Activating Panchayats

Shyama Singh was elected to head the Namudhar Panchayat in January 2016. Her Panchayat consists of five villages Namodhar, Sadhvadi, Manikdi, Chech-endhar and Kutmu. Singh holds government office for the first time and is an excellent example of how effective PRIs can be if they shed inertia and corruption.

People look at Singh as one of them as she belongs to a Kharwar tribe, one of the 32 tribes enlisted by the Jharkhand government.



Shyama Singh (Elected Representative)

Before she was elected, she sat under a large tree in front of the Panchayat office to help others fill out various forms. "I remember others taking Rs 100 to fill forms, but I filled them out for free and therefore, villagers flocked to me," she said.

Because of her hard work Shiyama Singh also got elected as leader of her village assembly. As she was involved in various activities, trainings, awareness building campaign, meetings etc for 2-3 years with Vikas Sahyog Kendra, she came out as the self-independent leader. She has been taking active part in all the activities, and has been encouraging other women to be independent and secure leadership skills. She added that these trainings helped her to perform various duties like:

- >> Visiting the village school to ensure children are getting good education and quality midday meals. Constant monitoring has helped to regularize the midday meals scheme benefitting 140 children in her village.
- >> Visiting the local health centres to ensure pregnant women and children are getting the right vaccines



and medicines. A total of 49 pregnant women and 39 children benefitted.

- >> Visiting the ICDS (Integrated Child development scheme) Centre to check whether children are getting sufficient nutritious food, if not, bring it to the attention of the concerned government authorities so they can make them available.

All of last year, she went to the five villages and drafted their Village Development Plans. She found that the villagers sought better employment opportunities. "Those who already had some kind of employment, ended up getting more. And those who didn't never got any," she said.

MNREGA came to her rescue. She began formulating plans to pave mud roads in the villages, dig wells and

construct *dhobhas* or traditional farm ponds. A significant change that Singh brought about in her village was to create employment that was suited to the weather. For instance, muddy roads were paved in the villages earlier which used to be washed out during monsoons.

One of the villages she is incharge of, Savadi has only *adivasis* or India's indigenous tribes. When government funds came for this village, Singh took her risks to ensure the most vulnerable got what they deserved. "Some amount of money came in to dig one bid bore well," she explained. "But, I twisted the budget and dug several small hand pumps in different corners of the village" she added. ■





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