

**Empowerment of PRIs, an Essential Condition for Ensuring Natural Disasters  
Management and Socio-Economic-Legal Justice at Grassroots Level in Odisha**

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**Abstract**

Management of any natural disasters in Odisha has become a challenging task for all of us. The constitutional mechanism like three tier Panchayatraj institutions should be given more power to meet any crisis situations encountered during those periods which function in the grassroots level. To manage PDS system, MNREGA schemes, distribution of compensations to natural disaster victims, etc in village level become upheaval tasks for bureaucracy. To manage all those welfare activities after post occurrence of any natural disasters, 73rd constitutional amendment provision must be properly utilized for the victims to save their valuable lives. So, empowerment of PRIs in Odisha is essential in bigger way to provide social, political and economic justice to natural disaster victims.

**Key Words:** Natural disasters, PRIs, PESA1968, Part IX of constitution, Orissa Gramapachayat Act1965,5<sup>th</sup> schedule,11<sup>th</sup> schedule

**Introduction:**

Democracy in our times means.....

“Government is of the people, by the people and for the people”. Abraham Lincoln....

According to our Father of Nation Mahatma Gandhi, India lives in villages. After more than 70 years above of our independence, it is felt really true for all of us. For democracy to be truly empowering, it should be fully alive at the grassroots level. For ensuring rural development as well as eradication of rural poverty in a sustainable manner at the grassroots level, establishing good governance in Panchayatraj system should be a prerequisite. Rural good governance does not occur by chance; it must be demanded by citizens and nourished explicitly and consciously by the nation. If rural governance policy is not framed properly and rural government structures as

well as people’s institution are not set up properly, rural Odisha will not be able to ensure a sustainable rural growth with equity and justice. The quest for effective governance in Panchayatraj institutions is also one of the better opportunities for shaping a vibrant future for rural Odisha. Participatory approach accompanied by empowerment and capacity building of Panchayatraj institution will create productive assets, generate massive employment among poor and disadvantaged groups, improve quality of life of the rural people in the villages and contribute inclusive growth of growth of rural Odisha.

**Natural Disasters Management at the grassroots level in Odisha**

As is well-known, following the 73<sup>rd</sup> Amendment of 1992, a new Part i.e. Part IX on Panchayats was added to

the Constitution of India. The article 243G occurring under the said part enjoined upon a State legislature 'to endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government' by way of making suitable laws, and thereby to facilitate 'the devolution of powers and responsibilities upon Panchayats' with the twin objectives of planning for 'economic development and social justice' and 'implementation of the schemes' made there-under. As a corollary to this provision, a new schedule called Eleventh Schedule was also added to the Constitution, which contained an indicative list of 29 subjects, each having crucial significance for the life and livelihood of the rural population, in respect of whose administration the Panchayats were envisaged to play the key role. This historic constitutional reform, which promised far-reaching changes in the country's system of governance from top to bottom, aroused great expectations among the people, especially those at grassroots level about the prospect of Panchayat to emerge in due course of time as the most powerful, yet responsible body exercising its decisive influence over the multifarious concerns of day-to-day life of the teeming millions of villagers across the country.

Strange may it seem, long before

the 73<sup>rd</sup> Constitution Amendment of 1992 was effected, the Orissa Gram Panchayat Act, 1965 which grants much more powers and authority to the Gram Panchayat had come into force. And it is still in force albeit some amendments thereto here and there over the years including the one made in 1994 in compliance to the requirements of 73<sup>rd</sup> amendment. Though there are some provisions and provisos in this Act which dilute the envisaged status of an empowered Gram Panchayat, the Orissa Gram Panchayat Act 1965 is still on the whole a wholesome legislation, which broadly conforms to the vision of Panchayatraj Institutions as units of self-government as conceived under Article 40 (Directive Principle) of the Constitution. With necessary amendment, if made at appropriate places so as to remove its ambiguities, inconsistencies and contradictions, the Orissa Gram Panchayat Act 1965 can well serve as a powerful and viable guidepost for ensuring proper governance of the lowest but most crucial layer of our political system i.e. Gram Panchayat. And it goes without saying that, the Gram Panchayat, once properly empowered in terms of funds, functions and functionaries, shall prove capable enough to administer effectively and democratically almost all the affairs of the village, be it disaster management, gender justice or even

land rights of the landless poor.

Besides long ten years have elapsed since the PESA Act was introduced with the objective of strengthening Panchayatraj in areas of the country under 5<sup>th</sup> Schedule as described in the Constitution. The Government of Orissa also introduced a separate Act for adopting PESA in the selected areas of the State mostly inhabited by tribes and indigenous groups. The PESA Act is essentially meant to enable these vulnerable populations to participate in mainstream developmental processes while maintaining their own socio-cultural identity. But a critical look into the actual state of affairs in areas under PESA presents a dismal scenario about the operation of this unique law.

However the ground reality is such that the Government of Orissa instead of moving in the direction of empowering the Gram Panchayat with further autonomy as envisaged under the Directive Principles of State Policy or 73<sup>rd</sup> Amendment of the Constitution, is seen to be stubbornly reticent to give effect to quite many existing provisions of the Orissa Gram Panchayat Act 1965, which, if operationalised, would strengthen the overall status of the PRIs and enable them to discharge their obligations towards the people in their respective jurisdictions in a more effective and just manner. And moreover, necessary legislative

reform followed by suitable administrative arrangements are called for in order to enable the Panchayats to emerge as authentic, holistic bodies of people at grassroots and concurrently to perform an effective role in newer domains such as disaster management, gender equality and resource-endowment of the landless poor.

Again, the dismal state of affairs that characterizes the functioning of PRIs in the State of Odisha today is too sad a commentary on the said constitutional mandate. Not only the elected representatives of PRIs continue to behave as handmaid to the bureaucracy as ever before, but also they are found, to everybody's disgust, getting involved in internal conflicts around petty matters of power and pelf, with the common people remaining aloof and away from them. In absence of a proper functioning of PRIs, the massive flow of money from the Centre and various international aid agencies in the name of different schemes of rural development gets mostly disarrayed from the proclaimed objects, with its major chunk being amassed by the bureaucratic overloads and the remaining scraps pocketed by the cunning leaders of PRIs themselves. Whatever mechanism prescribed in the Statutes for the functioning of PRIs, though faulty and deficient itself, is being complied with on pen

and paper only, and that too through forgery and manipulations, with the people remaining mute spectators. Such an abominable situation that surrounds the PRIs today calls for a radical rethinking on the part of all those individuals and agencies within or outside the Government, who despite the dark clouds all over, do sincerely wish to see that the grassroots democracy of our country is put into the place that it deserves.

Needless to say, it is the people themselves living in the villages that do bear the brunt of any disaster as and when it strikes them. And it is equally true that the Panchayatiraj institutions, which represent these people in villages, the first respondents to any disaster, and which are so to say the epitome of democracy at grassroots, can effectively and timely manage any disaster right from the phase of response to that of rehabilitation, if only endowed with adequate authority, autonomy and resources in respect of their functioning vis-à-vis the upper two tiers of governance as at State and Centre. Again, between Gram Panchayat, Panchayat Samiti and Zilla Parishad, it is the Gram Panchayat which deserves to be empowered at the first instance, since it is not only the bottom-most layer of governance in the country's overall polity, but also fully constituted of directly elected representatives of the people in a village. It is perhaps

with this perspective that the 73<sup>rd</sup> Amendment of the Constitution effected in 1992 provided for endowing 'the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level' in respect of planning for 'economic development and social justice' and implementation of schemes made there-under. A new list called Eleventh Schedule was in fact added to the Constitution, which mentioned 29 Subjects, over which the Panchayat was envisaged to have ultimate control.

The 73<sup>rd</sup> constitution amendment was a matter of unique significance for the State of Orissa, which has remained since a remote time a badly disaster-prone area in the geo-climatic map of India. Especially in recent years, Orissa has been experiencing recurring bouts of natural calamities like cyclone, tidal waves, flood, drought and heat wave, the management of which has posed a formidable challenge to both Government and civil society at large. The overall lesson learnt from the experience of various countries across the world has but confirmed the stark truth that the disaster management works at its best when it is carried out with the involvement of those very

segments of people, who are directly vulnerable to visitation by the disasters. As a matter of fact, the list of 29 subjects mentioned under the 11<sup>th</sup> Schedule of the Constitution, that included agriculture and animal husbandry, land and water management, health and education, women and child development, roads and bridges and above all maintenance of community assets, which the Panchayats are supposed to be entrusted with, are organically linked to the goals and strategy of disaster management

A long span of many years have elapsed since 73<sup>rd</sup> Constitution amendment was legislated with its promise of devolving all necessary powers and authority in respect of funds, functions and functionaries to Panchayat bodies, and meanwhile a spate of legislative and administrative measures have also been effected both at Central and State levels including the National Disaster Management Act 2005 and Orissa State Disaster Management Policy 2005. But to our dismay, none of the above measures to this day has the necessary enabling provisions for empowering the PRIs, the holistic bodies of the people based on direct democracy, to run their own affairs including the disaster management.

### **Recent Lesson from Fani**

In recent years, natural disasters have been affecting Odisha regularly and costing lives and livestock besides inflating heavy

damage to property, washing away government infrastructure and crippling lives, livelihoods, public utility services and agriculture. Climate change has raised frequency of natural calamities and number are only going to increase. We cannot stop cyclone, drought, flood, earthquake etc, but we can minimize their adverse impact. Recently held severe cyclone Fani, which made landfall on May 3, 2019 of heritage city, Puri has damaged several thousand houses and trees and up rooted several utility poles, killed many more wild life's. The present severe cyclone Fani's hissing has affected 14 Million people in 16,000 villages and 51 urban bodies in 14 districts. Fani's severe cyclone has wreaked havoc in the following districts-Puri, Khurdha while it affected others like Cuttuck, Bhadrak, Kendrapada, Jagatsinghpur, Balasore, Mayurbhanja, keonjhar, Dhenkanal and Nayagarha. Wind of more the 250k.m. per hour hit Puri before becoming weak and entering West Bengal.

Though Odisha was widely praised for its efforts to ensure safety of people the challenge now is to rehabilitate the affected people. The damage severe cyclone has caused is worse than feared. The government machinery was ill prepared to meet the challenge. The death toll in severe cyclone had risen to 64, thousand of kutch houses and building with asbestos roof have either collapsed and have been blown away. Power supply has been disrupted heavily. Drinking water is not available and most trees are uprooted. Everywhere water war, relief war and people were struggling to how to survive. Though ODRF teams were working hard to

clear roads, the task is stupendous and impossible to safety all.

Relief was not reaching to the disaster affected city and villages. Natural calamities victims affected cities and villages. Natural calamities victims are outraged other states are also going slow on relief as low of life is minimal. The state did not request the help of the army to speed up rehabilitees efforts, but the state government ego also was preventing such a move and the affected people were revolting. Under the circumstances, the state government should have immediately take the assistance of the Army to rehabilitate people. The following short term loan could be taken to help farmers to grow crops to compensate for loss caused by Fani, since the Khariff seams is fast approaching. The state govt should undertake a quick survey to identify landowning and landless share croppers and pay them Rs 10,000 each in one installment instead of two under KALIA scheme. The farmer list should be submitted to central government to enable them to pay Rs 6000/- per farmer instead of three installments under PM-KISSAN. Quality seeds, fertilizers and pesticides, among other things should be available to them at subsidized rates . The agriculture extension agency should reach farmers in time to guide them to improved methods of cultivation. Affected houses should be repaired on war footing before onset of monsoon. But, it was noticed the state government agencies were not function in people monsoon to do these works.

Also the following long-term measures should be taken to minimize the effects of such calamities in future. All kutchha , asbests-or tin roofed houses should be

converted to pucca buildings. Power supply system should be taken underground. Electric pole should be made cyclone resistance. Each village should have overhead drinking water tanks with diesel generator facilities. Deep bore tube-well with manual facilities should be considered. Gramapanchayats should be given power to provide relief immediately after a calamity, without awaiting government instruction under standard guideline. Every Panchayat should have modern Godowns with relief materials for the distribution in need. Every Panchayat can utilize this without awaiting arrival from distant places. The forest and horticulture departments should decide what species of plants would be planted in roads. Such that they are less vulnerable to damage ceremoniously done before monsoon sets in.

This will require heavy investments which the state government cannot arrange from its own recourses. A calamity relief fund may be created and the central and state govts and private sectors appealed to contribute it. Business houses and industrialist from the country and abroad should be appealed to contribute generously to the fund. Unless these long term measures are taken to minimize the effects of cyclone, only evaluation will not be a solution.

Natural Disasters cannot be prevented, but their impact on the lives and the socio-economic aspects of the people can be reduced to a considerable extent. In the past, people have countered the effects of the disasters with their own efforts and have overcome the trauma of the calamity. While the Government has the role to help its people in distress, the people themselves have greater responsibility to withstand together to face such eventualities and help

the Government to help themselves in this process, rather fully depending on it. No state-level administration will be able to meet the requirements of communities, unless communities come forward to solve their own problems. The Panchayati Raj Institution (PRI), the representative body of the people, is the most appropriate institution from village to the district level in view of its proximity, universal coverage and enlisting people's participation on an institutionalized basis. Their close involvement will go a long way in getting people prepared for countering natural disasters as well as involve them in all possible preventive and protective activities so that the impact of the disasters are mitigated and the people are able to save their lives and property. The PRIs can act as catalysts to social mobilization process and tap the traditional wisdom of the local communities to complement the modern practices in disaster mitigation efforts. Besides PRIs will also provide a base for integration of various concerns of the community with that of the Non Governmental Organizations (NGOs) and Community Based Organization (CBOs) which are engaged in various developmental activities at the grassroots level. The Panchayati Raj Institution (PRI) members can apply a role of leadership in Disaster Management at all stages. Right from the preparatory stage up to the handling of the long term development activities for risk reduction. Panchayats must adhere to the humanitarian imperatives during relief, rehabilitation and reconstruction activities in order to protect the rights and dignity of each and every victim of disaster. Relief, they should remember, must be treated as a right rather than as charity. Disasters are not

totally discrete events. Their possibility of occurrence, time, place and severity of the strike can be reasonably and in some cases accurately predicted by technological and scientific advances. It has been established there is a definite pattern in their occurrences and hence we can do some extent reduce the impact of damage though we can't reduce the extent of damage itself. This demands the study of disaster management in methodical and orderly approach. A disaster is said to take place precisely because the losses originated by a given event overwhelm the capacity of a population (local, regional or national) to respond and recover from it. Disaster risk emerges from the interaction between a natural hazard- the external risk factor- and vulnerability- the internal risk factor. Disaster may be termed as "a serious disruption of the functioning of society, causing widespread human, material or environmental losses which exceed the ability of the affected society to cope using its own resources" (UN/ISDR, 2004).

### **Role of PRI bodies in Disaster**

The PRI is a statutory body elected by the local people through a well-defined democratic process with specific responsibilities and duties. The elected members are accountable to the people of the ward, rural community, block and the district. Keeping the above in view, the PRI, the representative body of the people, is the most appropriate institution from village to the district level in view of its proximity, universal coverage and enlisting people's participation on an institutionalized basis.

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natural disasters as well as involve them in all possible preventive and protective activities so that the impact of the disasters are mitigated and the people are able to save their lives and property. The PRIs can act as catalysts to social mobilization process and tap the traditional wisdom of the local communities to complement the modern practices in disaster mitigation efforts. Besides PRIs will also provide a base for integration of various concerns of the community with that of the NGOs and Community Based Organizations (CBOs) which are engaged in various developmental activities at the grassroots level.

Hence there is a need to define the role of PRIs in Disaster Management and sensitizes local communities through them to develop coping mechanism in preparedness and mitigation measures of disaster to minimize its destructive effect on life and property at local level. The disaster management cycle requires massive efforts in all its aspects like prevention, mitigation, preparedness, response, restoration, rehabilitation reconstruction work. These include addressing situations like lack of coordination at all levels in the restoration and relief work, non-involvement of the people, over dependency on government, inadequate relief and restoration work, lack of awareness among people regarding potential danger of cyclones and other disaster, lack of knowledge on availability of funds and resource etc.,. Thus, the entire preparedness with regard to meeting emergencies like cyclone, flood and drought etc., calls for a constructive role and greater commitment on the part of the PRIs . The PRI members can play a role of leadership in Disaster Management at all Stages. Right

from the preparatory stage up to the handling of the long term development activities for risk reduction, PRI can lead in several ways. Gram panchayat has played a pivotal role in disaster management. The impact of disasters on people living in vulnerable areas and losses to their property can be minimized by a pro-active role played by PRIs at the grassroots level.

### **How PRI bodies can lead**

It must be conceded that wherever it has strong roots, PRI has played a crucial role in mobilizing people in various situations of crisis. However, it is a fact that it is difficult to pre-empt disasters and also to predict their magnitude. But the impact of disasters on people living in vulnerable areas and losses to their property can be minimized by a pro-active role played by PRIs at the grassroots level. Apart from great organizing skills, it may call for courage and leading from the front. The PRI members can play a role of leadership in Disaster Management at stages. Right from the preparatory stage up to the handling of the long term development activities for risk reduction, PRI can lead in several ways. A broad outline may include activities like.

### **Pre- Disaster**

- Organizing awareness campaign and promoting community education on disaster preparedness.
- Articulation of community need for developing preparedness plan through community involvement and panchayats ownership.
- Identifying the resource gaps both physical and manpower and replenishes the same through capacity building.

- Establishing synergy with local agencies including Non-Government Organizations (NGOs)/ Community based Organizations (CBOs).
- Developing Risk Reduction into various development programs of national and state governments.
- Encouraging people to insure assets and livestock.
- Establishing convergence with local institutional structures created for implementing education, health, livelihood and social justice and so on.
- Activating the disaster Management Plans with the participation of the community.
- Formation of Task forces and their capacity building. During Disaster.
- Arranging emergency communication through available resources.
- Evacuation to temporary shelter and running relief camps.
- Supplementing rescue and relief efforts in coordinating different agencies.
- Monitoring or Relief distribution.
- Safe disposal of carcass and arranging after drinking water and sanitation

#### **Post Disaster**

- Damage assessment particularly assisting in identifying victims for compensation and its distribution.
- Formulating rehabilitation and reconstruction plan of houses other local infrastructures.
- Enforce minimum specification for safe reconstruction.
- Supervise and monitor long term reconstruction and mitigation projects.

- Mobilizing special funds to use disaster resistant construction technology in vulnerable areas.

#### **Role of panchayat in managing information**

Collection, analysis and dissemination are the three phases of managing information. This would not only help in predicting natural disasters, but also help communities plan their agricultural activities.

#### **Conclusion and suggestions:-**

Under the circumstances, the moment has arrived when a wide-scale debate across the State of Odisha with participation of the representatives of Panchayat bodies at all levels needs to be undertaken keeping in view the prime objective of transfer of all necessary powers and resources to the Panchayats for ensuring disaster management, social justice, gender equity and participatory process of development at grassroots level. The establishment of Gram Panchayat at the bottom is praise worthy step to facilitate decentralization of power which will support the management of natural disasters in the local area. The system of participation of the people in solving their own problem makes democracy more democratic. Application MNREGS programme through the Pachayatraj system will embolden the natural management works better than before. Participation of women, SCs, STs in policy making of local areas will give desired supportive system to

local people. No doubt we are experiencing sea changes in our attitudes and achievements, but, we have to cross many more miles in this ways. Still more freedom, power and financial autonomy should be given to gram Panchayats for greater efficiency and competency to meet any eventualities. That will be entirely in keeping with our professed goal of democratic decentralization. The primary objective of the rural local government is to protect democratic values and ensure social justice to people.

Some suggestions may be forwarded for the successful working of Gram Panchayat during any natural calamities in Odisha.

1. The success of the Gram Panchayat depends on the good and harmonious relationship between the elected representatives and other office bearers. The office bearers like district Panchayat officer, and the secretary of the Gram Panchayat should render guidance and help for better implementation of the developmental programmes.
2. Control over the Gram Panchayat by the government and collector or sub collector should not be excessive, as this will kill the zeal and initiative of the members.
3. Gram Panchayat should be entrusted with power to collect almost all taxes of the area to

strengthen its financial position.

4. After getting elected assuming office of Sarapanch, Naib Sarapanch and ward members, they should be given special training about the proper implementation of different developmental programmes. Training should be given to both elected representatives and other office bearers related with Gram Panchayat activities jointly.
5. Minimum standards of education are required for successful working of rural local governance's government should take steps to prescribe minimum standards of educated qualification for Sarapanch and ward members.
6. Government should provide all the acts, rules and directions in regional Oriya languages to the Sarapanchs and ward members for successful working and implementation of programmes.
7. The Sarapanch, Naib Sarapanch, ward members should work honestly and sincerely as they are the representatives of their own local people. They should not thorough about the rules. Regulations, instructions, directions and Gram Panchayat manuals for better participation in the meeting and supervision of developmental works.
8. As in several other states like Gujarat, Kerala and Tamil Nadu, Panchayats in Odisha should be empowered to collect holding, rural water supply and other

taxes.

9. The various developmental programmes which are now being carried out through rural development department, like rural water scheme and sanitation programmes and the centre sponsored Swajaladhara Yojana should be transferred to the Panchayatraj departments to empower the local rural bodies.
10. Each Panchayatraj units must be instructed to keep records about five subject matters with them always to meet any natural calamities, those are availability of water resources, land records, forest resources, census records of village

The life of the people is very

complex at present. Hence there is necessity of rural local government to solve local problem and complexity. Local people can know better about the problems and if entrusted it can be solved by them properly. As it is stated that **“the wearer of shoe know better where it pinches.** Since Gram Panchayat works as the grass root level of our democracy at the rural level, they should be given proper care. Here it can be concluded with the words of Great freedom fighter like Jaya Prakash Narayan that **“unless people realize that they and not the government can take the country forward, no matter what amounts are spent on plans, the goals will not be achieved”.**

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