

## Annexure I

### 73<sup>rd</sup> Amendment and the Schedule XI of the Constitution of India

#### Introduction

Article 40 of the Indian Constitution states that “the State should take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government”. This Article is in the nature of a directive principle for state policy, responsibility for the implementation of which is devolved to State governments. In 1957, the Government of India instituted the Balwantrai Mehta Committee to make a detailed set of suggestions for establishment of a three-tier local self-government system.

Keeping in view the idea of democratic decentralisation as envisaged by the Balwantrai Mehta Committee, the West Bengal Panchayat Act, 1957 was passed. Subsequently, the West Bengal Zilla Parishads Act, 1963 was enacted. Under the Act of 1957, the Gram Sabha is the foundation on which the entire Panchayati Raj institution rests. It is a village assembly consisting of all persons whose names are included in the electoral roll of that area for the West Bengal Legislative Assembly. The experience of a couple of other States bears mentioning. The western states of Gujarat and Maharashtra passed legislation in the 1960s transferring many activities, including primary health care and education to district panchayats. In both States, funds were devolved as well and a separate administrative service – the Panchayat Service in Gujarat and the Maharashtra Development Service in Maharashtra – was set up to facilitate the transfer (or deputation) of State-level civil servants to work with the district panchayats. But the original vision behind the decentralisation effort has not been sustained.

The enactment of the new West Bengal Panchayat Act, 1973 was necessitated because of the failure of the West Bengal Panchayat Act, 1957 and the West Bengal Zilla Parishads Act, 1963, to fulfil the aspirations of rural people and therefore, was replaced by one comprehensive Act encompassing all tiers of the Panchayati Raj institution. Under the new Act, the operational area of the Gram Panchayat was enlarged to make it an economically viable unit with resources of its own in the form of taxation, grants and loans from the Central or the State Government but the capacity of local governments to raise local revenue remained limited due to non-implementation of the provision.

The Left Front gained power in West Bengal in 1977 and since 1978 it has been holding direct elections for seats at all three levels of the panchayats once every five years. Each level of local self-government is comprised of a number of seats and operates as a council that makes decisions collectively. At the district and development block levels, the councils include representatives from the lower level, and corresponding officers of the state bureaucracy (e.g., Collector/District Magistrate in the Zilla Parishad and Block Development Officer at the Panchayat Samity). Reforms to the system were effected in 1985 to shift responsibilities to the local self-governments, away from bureaucratic officials in concerned departments of the State government and to create a bottom-up budgeting system. The principal responsibilities

entrusted to the panchayats included implementation of land reforms, of the two principal poverty alleviation schemes (the IRDP credit programme and the Food for Work programme), distribution of subsidised agricultural inputs, local infrastructure projects, and miscellaneous welfare schemes (old-age assistance, disaster relief, and housing for the poor). The role played by the Gram Panchayats therefore consisted mainly of selection of beneficiaries of various development programmes handed down from the Central or State government.

Multiple failures of the bureaucratic and centralised apparatus of the Indian developmental state, and the decentralisation and devolution effected so far – failure to ensure efficient and effective delivery of public services, and to effectively provide and maintain key infrastructure – necessitated the 73<sup>rd</sup> amendment of the Constitution of India.

**Table 1: Eleventh Schedule of the Constitution of India**

<b>No.</b>	<b>Description</b>	<b>Category</b>
1	Agriculture including agricultural extension	Agriculture and allied
2	Land improvement, land reforms, land consolidation, soil conservation	Agriculture and allied
3	Minor irrigation, water management, watershed development	Agriculture and allied
4	Animal husbandry, dairy, poultry	Agriculture and allied
5	Fisheries	Agriculture and allied
6	Social forestry, farm forestry	Agriculture and allied
7	Minor forest produce	Agriculture and allied
8	Small scale industries	Industries
9	Khadi, village, cottage industries	Industries
10	Rural housing	Welfare
11	Drinking water	Core
12	Fuel and fodder	Agriculture and allied
13	Roads, culverts, bridges, ferries, waterways	Core
14	Rural electrification, electricity distribution	Core
15	Non-conventional energy sources	Welfare
16	Poverty alleviation programs	Welfare
17	Education, including primary and secondary schools	Welfare
18	Technical training and vocational education	Welfare
19	Adult and non-formal education	Welfare
20	Libraries	Welfare
21	Cultural activities	Welfare
22	Markets and fairs	Agriculture and allied
23	Health and sanitation, hospitals, primary health centres, dispensaries	Core
24	Family welfare	Welfare
25	Women and child development	Welfare
26	Social welfare, welfare of handicapped and mentally retarded	Welfare
27	Welfare of weaker sections, Scheduled Castes and Tribes	Welfare
28	Public distribution system	Welfare
29	Maintenance of community assets	Core

### **The 73<sup>rd</sup> Amendment and the Eleventh Schedule**

The 73<sup>rd</sup> Amendment Act, 1992 requires the States to devolve powers and authority to Panchayats so as to enable them to function as institutions of self-government. In particular, the provision calls for devolution of powers and responsibilities for the preparation of plans and implementation of schemes for development and social justice dealing with an impressively wide range of items, which are listed in a new schedule, Schedule XI, of the constitution (Article 243G).

The newly introduced Schedule XI of the Constitution (shown in Table 1) contains a comprehensive list of functional items, ranging from agricultural extension, implementation of land reforms, poverty alleviation, and promotion of small-scale industries to health, primary and secondary education and family welfare. There is considerable overlap between Schedule XI and Schedule VII, the State List (items within the purview of State Government) of the constitution, with one of the notable omissions in Schedule XI being law and order.

#### **Outcome**

Prior to the 73<sup>rd</sup> constitutional amendment the functional domain of rural local self-government bodies was largely limited to the provision of some core services such as street lighting, water supply, sanitation, and local roads. To the extent that Panchayats were involved in developmental activities, they played the role of implementing agencies at the local level for various schemes sponsored by either Central government or State government departments. In this capacity, Panchayats oversaw the management and implementation of various local infrastructure schemes funded through various State government departments. This situation was expected to change in the new scheme of things with the empowerment of the Panchayats. However, a number of reports that have reviewed the State-level legislations indicate that, in most instances, the statutes merely provide a 'shopping list' of various activities and sectors for which Panchayats would be newly responsible (Government of India, 2001a and 2001b). Nevertheless, there have been attempts at various points in time and in various States to enhance the role of local governments. As of 2001, West Bengal (one of the most progressive States, second only to Kerala in terms of devolution and decentralisation) has transferred all of the 29 functions envisaged in Schedule XI to the Panchayats but has transferred funds and personnel for only 12 of those functions up to the sub-district (Development Block) level.

Overall, in most States there has been very limited progress in terms of administrative and financial devolution. This suggests a lack of political will and significant bureaucratic resistance but at the same time it also needs to be recognised that the process of transferring funds and functionaries can be quite complicated. In terms of transferring personnel, two sets of issues arise. The first is a practical one: the need to adequately address bureaucratic career concerns in order to retain and attract suitably qualified individuals to these positions. The smaller scale of the bureaucracies supporting local governments potentially limits upward promotion possibilities for civil servants and practical ways have to be devised to get around these limits. A second issue that arises is the tension between the need to, on the one hand, make bureaucrats accountable to elected representatives, and on the other, ensure some degree of insulation for the bureaucracy from political pressures. The basic tension between bureaucratic accountability and autonomy does not of course exist only at the local level but it does complicate the process of reconfiguring bureaucratic structures.

For a further discussion on Panchayati Raj institutions see *Down to Earth*, Jan. 31, 2007.

## Annexure II

### Administrative and demographic details of Sundarbans *de facto* and field research islands

Table 1: Population, population density, dependence on agriculture and literacy of Sundarbans *de facto*\*

Development Block	Population density (persons/km <sup>2</sup> )	Population	Percentage of population primarily dependent on agriculture	Literacy (percentage)	
				1991	2001
Kakdwip	947	239,326	18.59	52.14	70.53
Sagar	658	185,644	29.99	65.05	77.87
Namkhana	433	160,627	27.33	62.24	78.40
Patharpratima	595	288,394	28.05	54.15	72.77
Mathurapur II	872	198,281	20.45	52.87	68.24
Kultali	614	187,989	22.41	41.16	60.09
Basanti	689	278,592	23.69	39.88	56.98
Gosaba	751	222,822	28.40	53.61	68.93
<b>TOTAL</b>	<b>671</b>	<b>1,761,675</b>	<b>24.80</b>	<b>52.64</b>	<b>69.23</b>
<b>As against:</b>					
South 24-Parganas (rural)	595			52.30	67.40
West Bengal (rural)	676			50.50	63.42
India (rural)	255			44.70	58.74

Table 2: Population, population density, dependence on agriculture and literacy of Mousuni and Mollakhali islands\*

<b>Mouza</b>	<b>Population density (persons/km<sup>2</sup>)</b>	<b>Population</b>	<b>Percentage of population primarily dependent on agriculture</b>	<b>Literacy (percentage)</b>
				<b>2001</b> <b>1991</b>
Mousuni	629	3148	19.66	52.73    63.79
Baliara	644	7802	12.57	39.34    56.61
Bagdanga	659	4027	18.27	53.64    68.86
Kusumtala	5723	5036	15.47	46.60    69.14
<b>Mousuni GP/Island</b>	830	20,013	15.56	46.26    63.59
Kalidaspur	759	5154	20.35	41.39    55.84
Hentalbari	710	3643	13.94	42.76    57.18
Chotomollakhali	905	9633	12.29	50.58    59.70
<b>Chotomollakhali GP</b>	817	18,430	14.84	46.65    58.12
Taranagar	712	5753	10.05	41.24    52.00
Boromollakhali	878	3800	16.58	33.74    44.71
<b>Mollakhali Island</b>	800	27,983	14.09	43.87    55.04
<b>Sundarbans</b>	671	1,761,675	24.80	52.64    69.23

\*All figures from Census 2001 unless specified

Figure 1: Population growth in Mousuni and Chotomollakhali Gram Panchayats

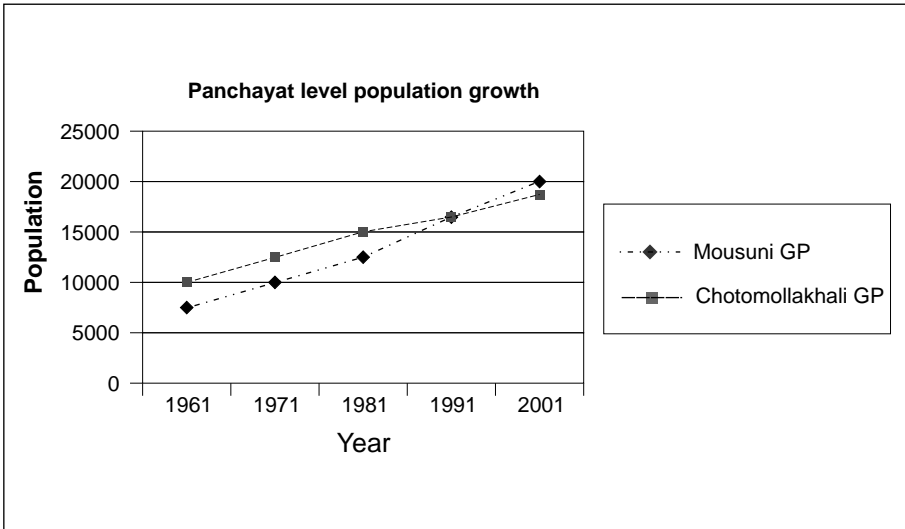
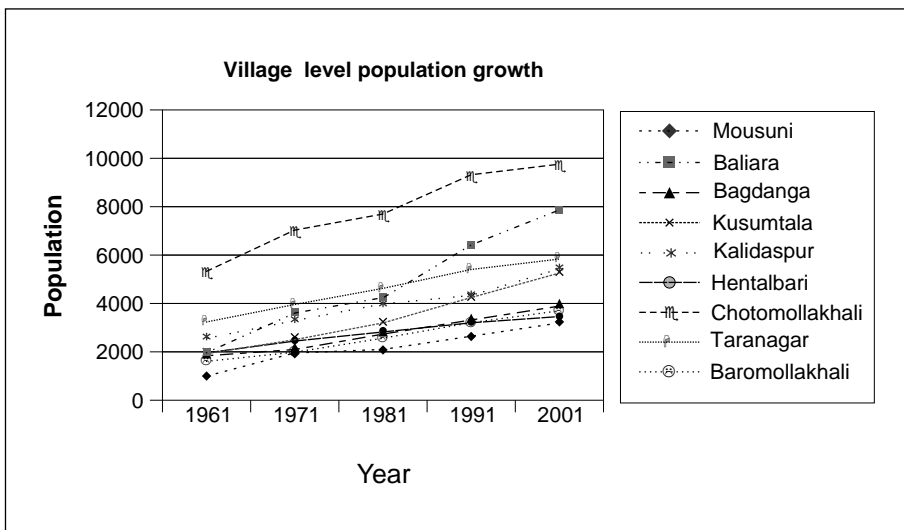


Figure 2: Population growth in the nine *mouzas* on field research islands



## Annexure III

### A glimpse of Daniel Hamilton's estate in Gosaba

Daniel Hamilton was a notable exception among the *zamindars* (estate holders) of the Sundarbans. In 1903, he leased Gosaba, Rangabelia and Satjelia islands but he was not the typical *zamindar* interested only in revenue; rather his interest lay in social experimentation. His objective was to achieve overall development by creating model villages based on cooperative principles. “He brought labour from the mainland, built dykes to keep out the sea, a plant to distil seawater and other similar works. To finance this activity he issued his own notes based on the sum of eleven hundred rupees held in the Estate Office. It is interesting to note the words which appeared on his own [currency] note issue. On one side it stated:

Sir Daniel Mackinnon Hamilton promises to pay the Bearer, on demand, at the Co-operative Bhundar, in exchange for value received, one rupee worth of rice, cloth, oil or other goods.

On the obverse side of the note was written:

The value received in exchange for this Note may be given in the form of *bunds constructed*, or buildings erected; or in medical or educational service. The Note may be exchanged for coin, if necessary, at the Estate Office. *The Note is made good, not by the coin, which makes nothing, but by the assets created and the services rendered.* The Note is based on the living man, not on the dead coin. It costs practically nothing, and yields a dividend of One Hundred percent in *land reclaimed, tanks excavated, houses built*, etc. and in a more healthy and abundant LIFE.

The notes were willingly accepted by the workers on the island, villages were built – each with its school – and eventually what was formerly an uninhabited area achieved a population of twelve thousand” (Holloway, 1971[73], pp. 5-6; emphasis mine).

This illustrates how infrastructure was built and public services provisioned and paid for in the estate, through a consumer cooperative, the oldest of its kind in India.

## Annexure IV

### **Raychaudhuri, Bikash. (1980). *The Moon and Net: Study of Transient Community of Fishermen at Jambudwip***

Bikash Raychaudhuri (1980) is credited with one of the few ethnographies carried out in the Sundarbans. He studied a temporary fishing settlement on Jambudwip (also known as Bulberry Island, southeast of Mousuni Island) in the Sundarbans in the 1960s. Temporary fishing camps were being established on Jambudwip every season in order to ensure a fresh supply of fish to the markets by the fishing community for part of the year since at least 1955. Although fishing was not regarded as being as worthy an occupation as was rice cultivation, it ensured the survival of those for whom it was the only possible livelihood. These temporary camps attracted fishermen from villages as far away as districts of Howrah, Hoogly, to the north, Midnapore to the west and parts of Bangladesh in the east. The fishermen at these temporary camps set up a transient society for about four months (November through February), away from their families.

Over time, fishing as an occupation did not remain as lowly as it used to be, attracting greater numbers. Some time in the late 1980s the transient society at Jambudwip changed its character. It did not become a wholesome society; nevertheless, the settlements became permanent centering on *khuntis* or fish trading posts. With encouragement and support from the Fisheries Department, Government of West Bengal, the settlement at Jambudwip flourished and became a permanent centre for the dry-fish sector. All this while the island was designated as "Reserve forest" under the Namkhana Division<sup>1</sup>. It came to the notice of the Forest Department that mangrove patches were being destroyed because of the activities of fishermen. According to Raychaudhuri's account fishermen did use mangrove branches for firewood for cooking and boiling their nets with resin derived from barks of mangroves. Fishermen had also cleared patches of mangrove to set up fish drying beds. A competition of sorts ensued during 2002-03 between the Fisheries and Forest departments of West Bengal, carried out very much in public and often through the media. Ultimately, on March 31, 2004 access to the island was completely closed, and the island came under the direct control of the Home Department of the Government of West Bengal.

In the context of conservation of the Sundarbans, the two aforementioned government departments have on earlier occasions worked at cross-purposes. The Fisheries Department had taken the initiative of introducing intensive and semi-intensive aquaculture farms that resulted in high demand for Tiger shrimp seeds while the Forest Department was trying to protect wildlife and its habitat. In fact, there was a time (late 1980s) when Fisheries Department initiatives resulted in clearing of mangrove patches, which was in direct conflict with the stand of the Forest Department that felling of mangroves was illegal.

---

<sup>1</sup>Jambudwip was notified as Reserved Forest on May 29, 1943. As per provisions of the Forest (Conservation) Act, 1980, seasonal occupation of Jambudwip by fishermen and fish-drying activity is a non-forest activity not permissible without prior approval of the Government of India.



## Annexure V

---

### Bibliography of Sundarbans

#### Biological and geo-physical

1. Brooks, John L. (1997). *The Sundarbans Tiger*. Lone Wolf Productions, ISBN-13: 978-0966178906
2. Chaudhuri, A.B. (1985). *A comprehensive survey of tropical mangrove forests of Sundarbans and Andamans*. International Book Distributors, ASIN: B0007BGJRU
3. Chaudhuri, A.B. (1985). *Comprehensive Survey of Tropical Mangrove Forests of Sundarbans and Andaman - Part 1*. Delhi: International Book Distributors, ISBN-10: 817089073X
4. Chaudhuri, A.B. (2007). *Biodiversity of Mangroves*. Delhi: Daya, ISBN 81-7035-436-6
5. Cowan, J.M. (1978). *The flora of the Chakaria Sundarbans*. Dhaka: International Book Distributors, ASIN: B0007AUT72
6. De, Rathindranath. (2006). *The Sundarbans*. Oxford University Press, ISBN-13: 978-0195626094
7. Debnath, H.S. (2002). *Sundarban Biosphere Reserve*. Kolkata: Botanical Survey of India
8. Dey, Anirudha. (2006). *Handbook on Mangrove Associate Molluscs of Sundarbans*. Kolkata: Zoological Survey of India, ISBN 81-8171-100-9
9. Dey, Tapan Kumar. (2007). *Deer Population in the Bangladesh Sundarbans*. Dhaka: The Ad Communication.
10. Guha Bakshi, D.N., P. Sanyal and K.R. Naskar. (1999). *Sundarbans Mangal*. Calcutta: Naya Prokash, ISBN 81-85421-55-2
11. Hussain, Z. and G. Acharya. (1994). *Mangroves of the Sundarbans*. Gland : Union Internationale pour la Conservation de la Nature et de ses Ressources, ISBN-13 : 978-2831702100
12. Khan, R.A. (2003). *Fish faunal resources of Sunderban estuarine system with special reference to the biology of some commercially important species*. Kolkata: Zoological Survey of India, ISBN-10: 8185874948

13. Khan, Tahawar Ali. (1961). *Man-eaters of Sunderbans*. International Publishers (Pakistan), ASIN: B0007IZ4JC
14. Majumder, S.C. & A. Dey. (2005). *Studies on some ethnomedicinal arachnids and insects in relation to their usage as drugs among the tribals of Sundarbans, West Bengal, India*. Kolkata: Zoological Survey of India, ISBN 81-8171-072-X
15. Majumder, S.C. (2004). *Taxonomic studies of some spiders from mangrove and semi-mangrove areas of Sundarban*. Calcutta: Zoological Survey of India, ISBN-10: 8181710401
16. Mandal, Aparna. (2004). *The Sundarbans: An Ecological History*. Kolkata: Readers Service, ISBN 81-87891-33-5
17. Mitra, Shib Shankar. (1988). *Sundarban Samagra* (in Bengali). Calcutta: Ananda Publishers Pvt. Ltd.
18. Naskar, Kumudranjan. (1987). *Mangrove Swamps of the Sundarbans*. South Asia Books; 1st edition, ISBN-13: 978-8185109497
19. Naskar, Kumudranjan. (2004). *Manual of Indian Mangroves*. Delhi: Daya, ISBN 81-7035-303-4
20. Paul, Ashis Kumar. (2002). *Coastal Geomorphology and Environment; Sundarban Coastal Plain, Kanthi Coastal Plain, Subarnarekha Delta Plain*. ACB Publications, ISBN-10: 8187500050
21. Raha A.K. & Bikash Kanti Saha. (2004). *A wonder that is Sundarban*. Kolkata: Computronics.
22. Raha, A.K. (2004). *Indian Sundarban – An overview*. Kolkata: Wildlife Wing, Forest Department.
23. Ray, Santanu. (1991). *Population ecology of benthic dipterans of the mangrove ecosystem of Sundarbans, India*. Calcutta: Zoological Survey of India, ASIN: B0006F0PQS
24. Reza, AHM Ali, Md. Anwarul Islam, Md. Mostafa Feeroz and Ainun Nishat. (2004). *Bengal Tiger in the Bangladesh Sundarbans*. Dhaka: IUCN-The World Conservation Union, ISBN 984-8574-09-3
25. Roy Chowdhury, Biswajit and Pradeep Vyas. (2005). *The Sunderbans : A Pictorial Fieldguide*. New Delhi: Rupa and Co., ISBN 81-291-0636-1
26. Roy Chowdhury, Biswajit and Pradeep Vyas. (2007). *Sunderbans : The Mystic Mangrove*. New Delhi: Niyogi Offset, ISBN 81-89738-13-5
27. Seidensticker, John. (1983). *The Sundarbans wildlife management plan: Conservation in the Bangladesh coastal zone*. Gland: International Union for Conservation of Nature and Natural Resources, ASIN: B0007B0200
28. Sen, Neera & Kumudranjan Naskar. (2003). *Algal Flora of Sundarbans Mangals*. Delhi: Daya, ISBN 81-7035-286-X
29. Zoological Survey of India. (1995). *Fauna of Tiger Reserve (Sunderbans, Manas, Palamau, Simlipal)*.

## Human-nature dynamics

1. Banerjee, Anuradha. (1998). *Environment, Population and Human Settlements of Sundarban Delta*. ISBN 81-7022-739-9
2. Chattopadhyay, Kumar. (1998). *The Desperate Delta: Social Ecology of Sunderbans*. New Delhi: Gyan Publishing House, ISBN 8121204844
3. Chowdhury, Quamrul Islam. (2001). *State of Sundarbans*. Dhaka: Forum of Environmental Journalists of Bangladesh, ISBN-10: 9847560110
4. Das, Amal Kumar. (1963). *The Oraon's of Sunderban*. Calcutta: Tribal Welfare Dept., Govt. of West Bengal, ASIN: B0007ISJE4
5. De, Satyendra Lal. (1997). *Socio-economic change in West Bengal: A study of the Sunderbans region*. Delhi: Shipra Publications, ISBN-13: 978-8185402970
6. Islam, M. Shafi Noor. (2003). *Sustainable Eco-tourism: As a Practical Site Management Policy: A Case Study on the Sundarbans World Heritage Site in Bangladesh*. Dhaka: AH Development Publishing House, ISBN 984-8360-09-3
7. Jalil, A.F.M. Abdul. (2000). *The History of Sundarban* (in Bengali). Kolkata: Naya Udyog.
8. Jana, Debaprasad. (2004). *Srikhanda Sundarban* (in Bengali). Kolkata: Dwip Prakashan.
9. Mandal, A.K. (1989). *Sundarban: A socio bio-ecological study*. Calcutta: Bookland, ASIN: B0006ETX3K
10. Mandol, Debabrata. (2007). *Man in Biosphere – A Case Study of Sundarban Biosphere Reserve*. New Delhi: Gyan Publishing House.
11. Mandol, Shasanko. (1995). *British Rajatye Sundarban* (in Bengali). Kolkata: Punascha.
12. Montgomery, Sy. (1995). *Spell of the Tiger: The Man-Eaters of Sundarbans*. Houghton Mifflin Company, ISBN-13: 978-0395641699
13. Mukhopadhyaya, S. (1976). *A profile of Sundarban tribes*. Calcutta: Firma KLM; 1st edition, ASIN: B0006CSP5Y
14. Neyogi, T.K. (1996). *Tiger Cult of the Sundarbans*. Calcutta: Anthropological Survey of India.
15. Pargiter, F.E. (1934). *A revenue history of the Sundarbans, from 1765 to 1870*. Calcutta: Bengal Govt. Press, ASIN: B0006CKR2S
16. Pramanik, S.K. and N.C. Nandi. (2004). *Dry Fish Production Profile of Indian Sundarban*. New Delhi: Classical, ISBN 81-7054-361-4
17. Quddus, Md. Abdul. (1996). *The Sundarbans and the Bawalis: Poverty in abundance*. Dhaka: Bangladesh Academy for Rural Development, ISBN-13: 978-9845590723
18. Ray, P.K. (1993). *Aquaculture in Sundarban Delta: Its Perspective and Assessment*. Hyperion Books, ISBN-13: 978-0785504016