



## **PANCHAYAT WOMEN CHARTER**

### ***Issued on: 7th day of July 2006 at the first meet of the PANCHAYAT WOMEN POWER CONNECT (PWPC)***

#### **Background**

**“To fetch, to carry, to cook, to wash...year after year a submissive silent slave sold to life for nothing.” (From ‘Silver Shackles’- by Maitrayee Mukhopadhyay).**

India’s children and families are fed, clothed and sheltered by the labour of women. Its water and firewood are gathered by the hands of women. Its family farms and rural economy are productive because of women’s work. Yet, when men are asked, they say women do nothing at all. Because of women’s low social status, their work goes unacknowledged, unvalued and unsupported. Women carry a triple burden. They make indispensable contributions in all areas of rural life and economic activity, particularly in household maintenance, agriculture, and income-generating activities.

Woman’s role in the conservative patriarchal society of Bihar, is determined more by men, tradition and livelihood patterns. As in the other patriarchal societies, these influences have restricted her role - largely to home, hearth, child rearing and those farming activities which have a basis in gender rather than equity.

In the decade of 1980s a number of developments particularly the movements and struggles during the emergency and post emergency periods led to more debates on women issues and renewed activity in favour of women. These included an increased focus on women in development in 6<sup>th</sup> and 7<sup>th</sup> five year plans. The National Perspective Plan (NPP) for women and the alternative perspective plan offered by the women’s movement. The National Front government of V.P. Singh introduced another constitutional 72<sup>nd</sup> amendment bill in 1990 including in it not less than 1/3<sup>rd</sup> reservation for women in membership at all levels. In 1991 the Bill was reintroduced in the Parliament by the Congress government which finally became the 73<sup>rd</sup> amendment of the Constitution, providing reservations for women in rural local self governing bodies. In December 1992 Indian Parliament passed a new amendment to the Indian Constitution to revive and revitalize the Panchayati Raj –the rural local self government in India. It has mandated representation of at least 1/3<sup>rd</sup> women through election, thus legitimised entry of women in a critical mass in the mainstream politics at the grass root level in the whole country and has created political space for women across caste and class. It is a major step for inclusive politics and addressing as it does their continued political marginality it has a potential of changing the existing gender relations.

Women have always and almost everywhere been on the fringe of political and social power. Like other states Bihar is no exception and continues to have marginal representation of its

women in political institutions. In our lower house of National Parliament women representatives have increased from 14 (i.e. less than 3%) in 1952 to 43 in 1998 and 47 in the next election. The similar situation continues in the States despite our having had a woman PM and women CMs. Has the formal change brought by the institutional intervention of reservations adequately addressed women's marginality or has it only led to their numerically expanded presence? Has the numerical presence transformed these structures made them more receptive to women's needs and concerns or has patriarchy already succeeded in defeating the intentions of the amendment?

## **Rationale**

According to the Department of Rural Development, as a result of Panchayat elections in all the states, there are about 3.4 million elected representatives at all levels of Panchayat. Out of this, an overwhelming majority are new entrants, particularly from the weaker sections of society i.e. SC/ST and women. It is necessary to evolve a comprehensive policy of right to information to women Panchayat workers. A strong role for women in political decision making is the key to the development and implementation of a meaningful state policy for women. The poor participation of women in political decision making is both the cause and effect of gender inequality. Their persistent marginalization from development processes, demonstrate the urgent need to strengthen their role in political decision making.

Women Panchayat members' role- their own perception of it is quite limited; They think their job is only to inform the Mukhiya about the various needs of their own wards village; More often than not, these are petty constructions / repair / maintenance jobs. That they have any role or say in the implementation phase - is not widely shared by them. Their concern is narrowed down to their own village and possibility of larger collaboration for tackling wider issues like water or vegetable co-operative is rarely considered. Block officials are still exercising many of the functions which actually belong to women Panchayat functionaries; Bureaucracy seems reluctant to give up the privileges, on one pretext or the other. There is a widespread agreement that women's influence in the political process remains at the fringes. As women have entered political structures, some doubts and dilemmas have also surfaced. *For instance:*

- The "genuineness" of women's participation, as compared to "proxy" participation, has become a matter of concern;
- The issue of prerequisites necessary to make women participate has become an imperative that must be addressed;
- They cannot make a more substantive difference unless they are empowered.

If patriarchy is at the root of this situation, will the system not defeat the intentions of the amendment? There are issues of power, authority, hierarchy and control which bring up the essentiality of change in power structures and gender relations, if we hope to see transformed and transformative politics. It was with this endeavour in mind that the idea for empowering the women Panchayat workers through the establishment of an interactive **FORUM of Women Panchayat Representatives** was conceived. The activities designed for the FORUM (PWPC) would help to develop strategies to empower the women as leaders.

## Objective of the FORUM (PWPC)

- To provide a platform to the Women PRIs to share their real life experience as leaders;
- How do they perceive 50% reservation for women in Panchayat elections?
- To create awareness among the women leaders regarding their roles and responsibilities as PRIs;
- To create awareness of Right to Information;
- To create awareness of Education;
- Role as a stakeholder in Gender Budgeting
- To create awareness among the women leaders regarding Migration, Trafficking and HIV/AIDS;
- To analyse the impact of women's participation in Panchayati Raj- A phenomena of their hyper-visibility or invisibility?

The compilation of recommendations in the FORUM based on past and future expectations of women Panchayat representatives would serve as a Charter of elected women representatives for the dos and don'ts in the Panchayati Raj system, thus bringing the agenda of women panchayat workers into public policy making.

## The Issues (Women Charter) discussed

It was also felt that panchayats in general and the women panchayat representatives in particular will have an important role to play in terms of livelihood in the age of globalisation. Essential services like health and education can be more effectively delivered, provided panchayat members become empowered.

Now that the new Bihar Government has announced 50% reservation for women PRI candidates, will this formal change brought by the institutional intervention adequately address women's marginality, or will it only lead to their numerically expanded presence? Will the numerical presence transform these structures and make them more receptive to women's needs and concerns, or will patriarchy succeed in defeating the intentions of the amendment?

Seeking answers to these crucial questions, the Members of Equity Foundation decided to bring out a **CHARTER** of Women Panchayat Representatives in the first meeting of **FORUM**. The matters discussed before the formulation of charter: The **FORUM** will bring together the various stakeholders to share experiences and evolve a collective strategy for addressing the role of women in grass root politics.

Finally, **Charter of Demands of elected women representatives was brought out in the first meeting of the FORUM on the 7<sup>th</sup> day of July.**





# Women Charter

## DECLARATION

The Charter of Demands adopted by the group on the 7th day of July 2006:

We, the representatives of elected women panchayat leaders from Bihar, who assembled in Patna, after due deliberation unanimously resolve the following and appeal to the authorities concerned to implement the demands:

**“We pledge to make Bihar culturally, socially and economically a progressive state.**

**“We pledge to involve and use the constrictive energy of all PRI members in the Panchayat and for playing an active role under Panchayati Raj System”.  
The Panchayat should be for the people, by the people and of the people.**

### 1. TRAINING

- The present training system and facilities for elected members is totally inadequate. Therefore the State Government must immediately allocate adequate resources for conducting capacity building programmes for the elected representatives and functionaries of PRIs. The training programme should include topics like roles and responsibilities of local body representatives (which should include information about present day system, local body elections, and legal competencies of various tiers).
  - Set up Panchayat Training Centres for women at least one in each division, to strengthen the capacity-building of women representatives within a year of their election. Local body representatives should be given knowledge about procedures, session conducting skills and agenda preparation for meetings.
  - Try to make them capable to attend the meetings more effectively. Make them capable to handle the technical details of the panchayat administration, how different tiers function and their relationship with government.
  - Refresher courses be organised at least once every year. Training programmes for women panchayat members should aim at continuous skill up-gradation including internet access to enable them to handle panchayat work with competence and efficiency.
  - Provide literacy training under special crash programmes for illiterate women Panchayat members.
  - Water Literacy Programme should be implemented in every village on the issue of water conservation and its proper management.
2. Facilitate exchange programmes for panchayat women representatives inside and outside the State.
  3. Remove Gender inequality & discrimination in education sector. Gram Panchayats should be given the power to depute the suitable young persons on voluntary basis to work in those schools where there is shortage of teachers.





#### 4. **GENDER SENSITISATION OF STAKEHOLDERS**

- Introduce regular gender sensitive reorientation programmes for the MPs, MLAs, Civil Society and bureaucrats about the funds, functions and functionalities of the Panchayats.
  - Ensure that due consideration is given by authorities at all levels to the proposals of the Gram Sabha, particularly those relating to issues of women and children.
5. Facilitate formation of women's associations at different levels to act as pressure groups on all fronts – community education, better law enforcement and deterrent punishment (female foeticide or trafficking of girl children, domestic rape or harassment at workplace, domestic violence).

#### 6. **LAW & ORDER**

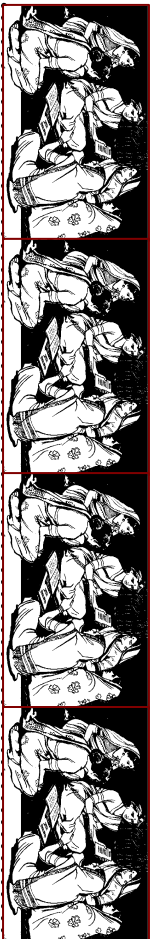
- Ensure that State Government opens a 'toll-free help line' for panchayat women at the state and district levels to attend to emergent needs (adverse or otherwise) of elected women functionaries of PRIs in terms of police assistance, information dissemination, legal assistance, counselling, etc., with a view to strengthen women's participation in local governance. The State-level help lines should also act as a resource centre.
- Provide for stringent laws to deal with those committing violence against women candidates during and after elections.
- The State Government should hold Lok Adalat (monthly) to resolve legal problems at the Panchayat level.
- All women's police stations should be established or posting of a Mahila (female) officer in every Thana should be ensured.
- Provide right to land and housing in joint names of spouses and for single, deserted, Dalit, tribal, widowed and battered women, and for those rendered homeless in caste/communal riots and due to displacement.
- Strictly implement the law regarding equal wages for women.
- We demand that the Government should develop schemes for constituting electric crematoriums in every Panchayat so as to eradicate the existing caste discrimination even in burial grounds.

#### 7. **INCENTIVE**

- We urge the Government of Bihar that, Instead of giving allowances and honorarium to the Panchayat Representatives, the Government should make an amendment to the Bihar Panchayats Act, ensuring salaries to them, as that of the Kerala and Karnataka Panchayats Act.

#### 8. **ENSURE RESPONSIBILITY**

- All Centrally Sponsored Schemes and State development programmes in Bihar must be brought under the Local Government Institutions for the implementation.
- Ensure that the government provides funds for celebrating women's empowerment day at the state and district levels. For demarcating powers between different tiers of PRIs, the State Government should take necessary





administrative steps for making of "activity mapping" exercise into concrete reality based on principle of subsidiarity.

- Right to collect professional tax, entertainment tax and toll tax should be endowed with village Panchayats and Municipalities

9. **Strengthening the Accounting & Audit System/Social Audit of the Panchayats:**

Considering the resolve of the State Government to devolve untied funds to the Panchayats, there is a need to strengthen accounting and auditing, *and most important- social audit at the Panchayat level.* Thus we urge the State Government to provide powers to Gram Sabha with regard to the approval of development projects, beneficiary selection and social audit. The findings of social audit should be acted up on:

- a. Awareness about schemes and programmes and the role of PRIs and other departments in those schemes
  - b. Principles of transparency, accountability and community participation with a view to improving service delivery and setting service delivery standards
  - c. Participatory planning and monitoring, including greater involvement over planning and monitoring the activities of the local bureaucracy
  - d. Internal committee dynamics, and in particular ensuring effective participation of women, SC and ST Representatives.
22. In order to solve the serious problem of poor infrastructure of Panchayats in the State, adequate infrastructure including own building and **IT infrastructure** should be made available to all the village panchayats. It is matter of great concern that even after the allocation of funds by the Government of India through the Ministry of Information and Technology for computerization of all the Panchayats in the State. The progress has not been satisfactory in creation of e-panchayats till date.
23. **The institution of ombudsman to address grievances and check irregularities must be taken up immediately as in case of Kerala.**
24. The State should undertake to develop a new administrative operating system for the Panchayats based upon the devolution of functions, funds and functionaries and for which it should develop the following **manuals for the Panchayats:**
- Budget Manual
  - Accounts Manual
  - Audit Manual
  - Procurement Manual
  - Office Management System
  - Management Manuals for transferred institutions
  - Public Works execution Manual
  - Fiscal Responsibility Legislation for the PRIs.
25. **Performance audit** should be done to review the actual performance, physical and financial, vis-à-vis the annual targets and identify the constraints in achieving the target.
- **Creating Competition amongst the Panchayats -**
- With a view to promoting healthy competition amongst the Panchayats the State Government will consider to identify 'beacon' Panchayats and awarding 'Swaraj' Trophies to them, for excellence in performance at all levels. A Committee comprising the Panchayat members,





Members of Legislative Assemblies and Councils and experts from other walks of life will be set up to identify and institutionalize the best practices developed by the Panchayats.

- Give awards for outstanding performance by women representatives at all levels of the panchayats in the state.

## 26. INFORMATION

- Provisions of accurate information regarding HIV/AIDS, its treatment, care, training of health care providers at all levels required.
- Doctors, functional testing equipment and ambulances must be made available in all PHCs. Ensure counselling and help- lines to enable people to live positively despite grave illness.
- Construction of Safe and hygienic Delivery rooms in every Panchayat.
- A Library Cum Information Centre should be established in every village so as to provide opportunities for dissemination of information about development schemes along with necessary information and knowledge pertinent to the common life of people is made possible. This should be linked to e-governance.
- Implementation and creation of favorable environment and seeking of desired co-operation for programme like Sarva Shiksha Abhiyan, IGP National Rural Employment Guarantee Scheme, and Right to information etc. meant for livelihood supports such as Old Age Pension, widow Pension and social welfare programmes as well.

27. Construction of Panchayat Bhavan.

28. Ban Alcoholism.

29. **Panchayat Prahari** should be formed in every village to check migration.

30. Women's special buses should be introduced.

31. **And finally- Ensure equality and efficiency in Gender Budgeting- WHY?**

*According to Dr. S. Hameed, Member Planning Commission-* Women's empowerment is not a new concept. Yet, in the midst of huge allocations of outlays and revenues, the government very often loses sight of this priority that has been established for women's issues. The outcome of many new programmes that were started in the last plan to benefit women, are not known, such as the NRHM and Sarva Shiksha Abhiyan. Despite heavy budgetary provisions, the quality of ICDS centres is very poor and in some areas centres have also failed to deliver. The allowance and pensions for widowed women never reach them and their own children turn them out of their houses.

When officials are questioned, the explanation that is given is very little resources and limited budget or the money was not released by the ministry or circular or permission was not given in time. The mindset towards gender is not sensitive, While drawing up the budget, it is important to realise that the allocations for women are not mere numbers they are the lives of women, of girls who do not go to school or those pregnant mothers who died en route to hospital, due to lack of transport. Therefore, there should be a proper mechanism to keep vigil on the flow of benefits to women from the schemes and plans so that the funds reach those for whom they are meant.

Even today there are no separate chapter for women and children in the State plan. Gender issues are always covered under the category of social welfare such as health,





nutrition, education and labour. Thus while preparing the budget women's need should be made visible. Women's exploitation, proximity to health care and CHCs must be taken into consideration while building roads and infrastructure. There is a growing awareness that women are left out of the developmental process.

There is a compelling need to take steps to ensure a fair allocation of government budgetary resources to women. Gender inequity has to be removed from the budget making process and it should be made inclusive.

For implementation of the plan, gender sensitive budgetary provisions, proper, efficient and effective utilisation of allocated resources, crucial role of elected women representatives is felt. But they are unaware of their financial powers (Implementation of budget and relevance of gender sensitive budgeting). Very few Mukhiyas have undertaken significant initiative in various developmental projects in their village, such as improving roads, the local school, investing in clean running water, in public and private sanitation projects and in pensions for widows. They have no participation in allocation of Panchayat budget. The issues, often ignored by men, range from health and sanitation to campaigns against alcoholism and domestic violence. At the dawn of this new millennium, many of the entrenched social evils that have persisted for thousands of years will begin to change if women panchayat representatives are made aware of gender sensitive budget.

*We need to push Government to adopt these demands of women in spirit and in letter within laws and policies. Likewise, we need to press Government to ensure enabling conditions for all women PRIs in Bihar to attain equality of status as well as equal access to services as part of their basic human rights. Today we dedicate this Charter to all women living in Bihar. With grief we remember the women candidates or their family members who have needlessly died due violence. We raise our voices against these denials of rights as violations of women's human rights. In salute to all women survivors of individual and structural violence, we pledge to fight discrimination, oppression and marginalisation and to move towards peace and justice and empowerment.*

We demand that the State Government must demonstrate the political will to implement the above demands within a reasonable time frame in order to strengthen the genuine grassroots and people participation in the state of Bihar

**Issued on: 7th day of July 2006**

#### **Members of the drafting Committee:**

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- \* NGO working for PRIs; and
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