



PANCHAYAT RAJ: GOVERNANCE BY LOCALS IN RURAL INDIA

ABSTRACT

The Panchayat Raj concept was introduced in 1952 in Rajasthan. However, since the award of constitutional status to the Panchayat Raj Institutions in year 1993 there has been positive effect on economical development in Rural India. The introduction of the Panchayat Raj 1991 onwards helped India in achieving many milestones in development. The decentralization of governance in rural area resulted in understanding the fundamentals of democracy by the citizens in rural area. The Panchayat Raj system is instrumental in eradication of discrimination on the basis of caste in rural area though it has not resulted in getting rid of ill effects of caste system fully. The women empowerment through the women reservations is one the major achievement of the Panchayat Raj System.

The decentralization is the main tool by which democracy becomes truly representative and responsive. The 3 tiers system of Panchayat Raj at Village level, Block level and District level ensures the delegation of power but the implementation of the development plans and social justice plan do get affected due to traditional biases originating from the graded social structure of Indian society. The implementation of reservation to reserved category citizens and reservation to the women remains only for record sake and power is still enjoyed by the dominant caste citizens. This dominance in power results in major block in development of the Rural India.

This paper deals with the following issues related to Panchayat Raj System:-

- a) Trace the historical background of the Panchayat Raj System (PRS) in India,
- b) Establish the major milestones achieved by the PRS at the grassroots level development in rural part of the India,
- c) Critical Review the effect on decentralization on effective representation in governance and
- d) Critically analyze the various developmental schemes initiated by the government particularly with reference to empowering Women and Dalits in Rural India.

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I. HISTORICAL BACKGROUND OF THE PANCHAYAT RAJ INSTITUTIONS (PRIS) IN INDIA

1.01 Panchayati Raj has been developed over years as a administrative system to govern the smaller towns through the governing body called "Gram Panchayat". Internationally, this type of governing system is being operational in South Asian countries viz. Bangladesh, India, Nepal and Pakistan. Traditionally, it has been one of the oldest mechanisms of governance prevailing in Indian Continent. The word Panchayat means gathering or assembly of five elderly people who are chosen or selected or elected to resolve the dispute arising in the community or village or inhabitation in rural or remote area. In post independence era, the Government of India has used the Gram Panchayats platform to decentralized the various administrative powers to local elected bodies know as Gram Panchayat.

1.02 Panchayats as institutional vehicles for development have been part of the Indian System for ages. In ancient times, Panchayati Raj system prevailed during the Chola Period. In fact, Ripon's Resolution of 1881 and 1882 can be taken to be the origin of modern local government in India.¹ The development of local self-government in India owes their progress to the sincere efforts of Lord Ripon in this direction. His most significant contribution was in the field of local self-Government. He passed a resolution in 1881 which clearly stated that the time had come when further steps could be taken to develop the system of Local Self-Government. The said resolution directed the provincial Government to transfer considerable revenue to local bodies that were to deal with matters of local importance. The next step in this direction was taken by him when he passed the famous Resolution of 1882. The then Provincial Government was directed to establish local Boards in each district. The area of each Board was kept small so that it would know the wishes of the people and serve their interest accordingly. The Resolution of 1882 further suggested that the Indians should be encouraged to become the members of the local bodies. He ensured the help of the British Government in the efficient discharge of their duties. While extending Local Self-Government, Lord Ripon stressed its education value also. The aim of Ripon was to give popular education to the people of India.²

1.03 The Article 40 of the Constitution of India, which reads as "40. Organisation of village Panchayats the State shall take steps to organize Village Panchayats and endow them with such powers and authority as may be necessary

to enable them to function as units of self government" is instrumental in introduction of Panchayati Raj soon after India became a republic in 1950. As per the constitution of India, the Indian governing system is based on the three-tier system for having smooth administrative system in place. These three tier systems are

- i) National or federal level administration,
- ii) State or regional level administration and
- iii) Panchayati Raj system of administration.

Panchayati Raj System of Administration which is the grassroots level or lowest level of administration empowering local bodies to govern so that there is proper delegation of administrative powers for smooth and hassle free administration in the country. Giving power to the local bodies to govern and manage local issues is the highest level of democracy being observed in India. It results in people's participation in running their affairs which results in direct and participatory democracy at local level whereas at national level it is parliamentary democracy. The democracy means the equal distribution of values and wealth. Though India, post 1991, is slowly moving from socialist economy pattern to capitalist economy pattern at the national level, the Panchayati Raj governance helps the local level of governance to be more socialist. It may be noted here that Gandhi and Dr Ambedkar had different perspective and views regarding the introduction of Panchayati Raj in the country. For Gandhi, the concepts of Panchayati Raj and Gramswaraj were integral part of his political vision for the development of the nation. Dr Ambedkar was critical on Panchayati Raj because of then Indian reality of village life. Therefore Dr Ambedkar was not willing to support the idea of Panchayati Raj. As pre Dr Ambedkar villages were ruled by the local dominant caste people and he was of the firm view that in case the powers are given to the locals the Chatur Varna system (graded in-equality) will continue to prevail even if the Indian Constitution grants equality in the country. Keeping in mind the views expressed by Dr. Ambedkar about Panchayati Raj, Pandit Nehru did not implement the Panchayati Raj in first 10 years of his regime.

1.04 Soon after the independence, the Government of India (GOI) launched the "Community Development Program" (CDP) in October 1952. Subsequently, in 1953, GOI started National Extension Services (NES). Then NES was the lowest unit of development of administration for the Government. During the implementation of CDP and then NES it was soon came to the light that both these program are not best suited for the country. It was observed that the empowerment to the local administrative body is

not really happening and the objective of the Article 40 of Constitution which directs the nation to give sufficient powers to the local self-government was not being achieved. Therefore, it was imperative for the central government to find the alternative methodology for empowering the local bodies for self governance. It was decided to appoint a committee to look into the shortcomings of CDS and NES and suggest a suitable alternative. Accordingly, a committee under the chairmanship of Mr. Balwant Rai Mehta, known as Balwant Rai Mehta Committee (BRMC) was constituted by the Government of India in January 1957 to examine the working of CDS and NES and to suggest measures for better governance and delegation of administrative powers which are free from interventions of the State and Central officials / bureaucrats. Mr. Balwant Rai Mehta was a politician who served as the second Chief Minister of Gujarat State. He is often referred as the "Architect of *Panchayati Raj*" due to his contributions towards democratic decentralization.

1.05 The specific recommendations of the Balwant Rai Mehta committee were³:

- i. Establishment of a 3-tier Panchayati Raj system- Gram Panchayat at the village level, Panchayat Samiti at the block level, and Zila Parishad at the district level. These tiers should be linked through a device of indirect elections. The main purpose of this division is to simplify and to decrease the work load of the state and central government.
- ii. The village Panchayat should be constituted with directly elected representatives, whereas the Panchayat Samiti and Zila Parishad should be constituted with indirectly elected members. This is because Panchayat is similar to that of state assembly where there is place for politics whereas Samiti and Zilla Parishad members should be more educated and knowledgeable and may not need the majority support.
- iii. All planning and developmental activities should be entrusted to these bodies.
- iv. The Panchayat Samiti should be the executive body while the Zila Parishad should be the advisory, coordinating and supervisory body.
- v. The District Collector should be the Chairman of the Zila Parishad.
- vi. There should be a genuine transfer of power and responsibility to these democratic bodies.
- vii. Sufficient resources should be transferred to these bodies to enable them to discharge their functions and fulfill their responsibilities.
- viii. A system should be evolved to effect further devolution of authority in future.

1.06 As per the BRMC recommendations, originally the suggestions were to be implemented from October 1957. However, there was delay in acceptance of the recommendations of BRMC. Finally the recommendations of BRMC were accepted by the National Development Council (NDC) in January 1958. Even after implementation of the BRMC suggestions, the Panchayat Raj Institutions / bodies continued to be controlled by the bureaucracy and practically there was no real progress as far as effectiveness of Panchayat Raj objectives are concerned.

1.07 In December 1977, the then Prime Minister of India, Mr. Morarji Desai (1977-1979), appointed a committee to suggest the modifications of the Panchayati Raj System under the Chairmanship of Mr. Ashok Mehta so that Panchayati Raj can be adopted in the country. Mr. Ashok Mehta (1911-1984) was Indian freedom fighter and renowned socialist politician. The committee submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining Panchayati Raj system in the country. Based on these recommendations, some of the States (Karnataka, Andhra Pradesh, and West Bengal) passed new legislation. However, the flow of politics at the State level did not allow the institutions to develop due to their own political dynamics. Some of the significant recommendations, inter alia, included viz. Zila Parishad should be the executive body and made responsible for planning at the district level, There should be an official participation of political parties at all levels of Panchayat elections, the state government should not supersede the Panchayat Raj institutions, Seats for SCs and STs should be reserved on the basis of their population etc⁴.

1.08 On account of fall of Government under the leadership of Mr. Morarji Desai, (also known as Janata Government since it was lead by Janata Party) in July 1979, the recommendations of Ashok Mehta Committee (AMC) could not be implemented. Another committee under the Chairmanship of Mr. G V K Rao was constituted in 1985 to suggest the appropriate improvement in representative character and strengthening of capability of the People's representative and administrative personnel in Panchayat Raj Institutions (PRIs)¹. Subsequently, in 1986 another Committee known as L M Singhvi Committee (LMSC) of the Department of Rural Development, Government of India was constituted. LMSC suggested that a constitutional status needs to be granted in order to empower PRIs. Although the Bill for grant of Constitutional status to PRIs was passed by Lok Sabha, it was defeated in Raj Sabha in 1989. The Bill was reintroduced by Mr. V P Singh's Government but could not sail through due to "No confidence" motion against V P Singh's Government in

1990. Finally, in 1992, the Congress Government enacted the 73rd Constitutional Amendment with main objective of strengthening the Panchayati Raj system. The Constitutional Amendment resulted in giving the Panchayati Raj Institution a Constitutional Status. As per the Constitutional Amendment, the governance is to be done in three tier structure at the Zilla, Block and Village Levels. The election commissioner is required to hold the elections periodically, a state level finance commission to

assist in finding out the various income streams to increase available resources to PRIs. As per the laid down structure, the PRIs need to have reservation for 1/3rd seats for Women and reservation to SCs and STs in proportion to their population in all the positions of the three tiers¹. The Amendment also ensures the establishments of the Gram Sabha for enhancing participation of the local citizens for development of their area and also to ensure the systematic development of the infrastructure and other development through proper planning process.

1.09 The historical milestones in evaluation of Panchayati Raj Institutions in India are listed below⁵:-

1687	Royal Charter for the creation of Madras Municipal body
1842	Act X to provide first formal measure of municipal bodies
1857	The aftermath of Mutiny saw severe financial stress. Fiscal decentralization was considered one of the solutions.
1870	Lord Mayo's scheme of fiscal and administration devolution. Enactment of Bengal Chowkidari Act.
1882	Lord Ripon's Resolution on Local Self-Government.
1907	The Royal Commission on Decentralization was constituted.
1948	Debates between Mahatama Gandhi and Dr. Ambedkar on Gram Swaraj, (Self-Rule)
1957	Balwant Rai Mehta Commission – Recommended Panchayat structure at district block and village levels, elected bodies for 5 year, devolution of powers to Panchayats. Post of Block Development Officer (BDO) was created.
1963	K. Santhanam Committee – recommended limited revenue raising powers to Panchayats to raise revenue and setting up of State Panchayati Raj Finance Corporations.
1978	Ashok Mehta Committee – Recommended that the District serve as the administrative unit in the Panchayat structure and two tier Panchayats be created at district and block levels.
1985	G V K Rao Committee – Recommended that the Block Development Office (BDO) should be strengthened to assume broad responsibility for planning, implementing and monitoring rural development programs.
1986	L M Singvi Committee – recommended that local self-government should be constitutionally enshrined, and the Gram Sabha (the village assembly) should be the base of decentralized democracy.
1993	The 73 rd Amendment to the Indian Constitution – Panchayats at district, block and village levels was created through Constitution. Part IX for Panchayats was inserted in the Constitution with 11th schedule that enumerated 29 matters for Panchayats.
1996	Powers of Self - Government were extended to tribal communities in 'Fifth Schedule' areas.
2004	Union Ministry of Panchayati Raj was created.
2009	Thirteenth Finance Commission recommended share of Panchayats in the Union Revenue Divisible Pool.

1.10 Legal Framework⁵

PRIs have the following legal frame work:-

- i. The establishment of Three-tier Panchayats with elected members at Village, intermediate and district levels. The intermediate rung need not be constituted in state with a population under 2 million.
- ii. Direct Elections to all seats in Panchayats at all levels.
- iii. One-Third seats reserved for women and marginalized communities – Scheduled Castes (SCs) and Scheduled Tribes (STs) – in all Panchayats, according to the population. The provision also applies to the office of Chairperson.
- iv. A uniform five year term in all Panchayats, with election held within six months in case of premature dissolution.
- v. Constitution of a State Election Commission to supervise and organize free and fair election to Panchayats at all levels.
- vi. Setting-up of a State Finance Commission at a regular interval of five years to review and revise the financial position of Panchayats.

vii. Establishment of District Planning Committees.

viii. Establishment of Gram Sabha (Village Assembly) in each Village, to exercise such powers and perform such functions at the Village Level as the state may provide by law.

II. MAJOR MILESTONES ACHIEVED BY PANCHAYATI RAJ SYSTEM AT THE GRASSROOTS LEVEL DEVELOPMENT IN RURAL PART OF THE INDIA

2.01 The Panchayati Raj Institutions in India has completed 55 years since its inception. On completion of 50 years, the 2009-10 was celebrated as "Year of Gram Sabha". Being agro based economy; the development of rural area has been the main thrust for Government of India and for all the state governments since independence. Rural development means the real growth for the economy. Rural development is an inclusive term and it includes socio-economical and political development of the rural areas. It includes measures to strengthen the democratic structure of society through the Panchayati Raj Institutions as well as measures to improve the rural households and delivery system pertaining to education, health, and safety mechanisms. Poverty alleviation is a key component of rural development⁶. Towards this objective GOI has initiated many processes from time to time, which are benefiting the rural masses. In order to accelerate the rural development has GOI has set-up a special ministry viz. Ministry of Rural Development (MORD). Being a nodal agency for development of rural area, MORD consist of following three departments to monitor all the functions:-

- i. Department of Rural Development (DRD)
- ii. Department of Land Resource (DLR)
- iii. Department of Drinking Water Supply (DDWS)

2.02 MORD is also a nodal department for the two international organizations viz. The Centre on Integrated Rural Development of Asia and Pacific (CIRDAP) and the Afro Asian Rural Development Organization (AARDO).

2.03 One of the main roles of the Department of Rural Development is to implement schemes for creation of self-employment. Besides the creation of self-employment, creation of housing schemes for rural area and construction of minor irrigations, social assistance to destitute and construction and maintenance of village roads are included in the responsibilities of DRD. Apart from these duties, DRD also provides support services

and other quality inputs such as assistance in strengthening of administrations in PRIs, Training and Research, Human Resource Development, Development of Voluntary Action etc. for proper implementation of the programs.⁶

2.04 Over last two decades since the constitutional status is given to Panchayati Raj System, Government of India, through MORD, launched many schemes and programs in order to improve the infrastructure and to achieve economical development of the rural area. Some of the prominent schemes are as follows:-

i. Self Employment Program

- ✦ Swarnjayanti Gram Swarozgar Yojana (SGSY)
- ✦ Pradhan Mantri Gramodaya Yojana (PMGY)
- ✦ Sampoon Gramin Rojgar Yojana

ii. Wage Employment Program

- ✦ Mahatma Gandhi National Rural Emolument Guarantee Schemes (MGNREGS)

iii. Rural Housing Program

- ✦ Indira Awaas Yojana (IAY)
- ✦ Mo Kudia (My House)

iv. Infrastructure Development

- ✦ Gopabandhu Gramin Yojana (GGY)
- ✦ Backward Regions Grant Fund (BRGF)

Other developmental schemes being operated / were operated through PRIs are as follows:-

- ✦ Aam Aadmi Bima Yojana
- ✦ Bachat Lamp Yojna
- ✦ Deendayal Disabled Rehabilitation Scheme
- ✦ Gramin Bhandaran Yojna
- ✦ Indira Gandhi Matritva Sahyog Yojana
- ✦ Integrated Child Development Services
- ✦ Integrated Rural Development Program
- ✦ Janani Suraksha Yojana
- ✦ Kasturba Gandhi Balika Vidyalaya
- ✦ Kishore Vaigyanik Protsahan Yojana
- ✦ Livestock Insurance Scheme (India)
- ✦ Mahatma Gandhi National Rural Employment Guarantee Act
- ✦ Members of Parliament Local Area Development Scheme
- ✦ Midday Meal Scheme
- ✦ National Literacy Mission Program
- ✦ National Social Assistance Scheme
- ✦ Pooled Finance Development Fund Scheme
- ✦ Pradhan Mantri Adarsh Gram Yojana
- ✦ Pradhan Mantri Gram Sadak Yojana
- ✦ Rashtriya Krishi Vikas Yojana' etc.

III. DECENTRALIZATION FOR EFFECTIVE REPRESENTATION IN GOVERNANCE

3.01 The decentralization can be usefully understood as a political process whereby administrative authority, public resources and responsibilities are transferred from Central Government agencies to lower level organs of Government or to non-government bodies, such as Community-Based Organizations (CBOs), Non-Governmental Organizations (NGOs) or private sector actors⁷. The various terms are defined as follows:-

- i. De-concentration**, in which political, administrative and fiscal responsibilities are transferred to lower units within central line of Ministries or agencies.
- ii. Devolution** in which sub-national units of government are either created or strengthened in terms of political administrative and fiscal power.
- iii. Delegation** in which responsibilities are transferred to organizations that are outside the regular bureaucratic structure and are only indirectly controlled by the central government, and
- iv. Privatization** in which all responsibilities for government functions are transferred to Non-Governmental Organization (NGOs) or private enterprises, which are independent of Government.

3.02 As per the World Bank, Political, Administrative and Fiscal Decentralization can be defined as follows⁷:-

Political Decentralization - transfer policy and legislative powers from central government to autonomous, lower-level assemblies and local councils that have been democratically elected by their constituencies.

Administrative Decentralizations - places planning and implementation responsibilities in the hands of locally situated civil servants and these local civil servants are under the jurisdiction of elected local governments.

Fiscal Decentralization - accords substantial revenue and expenditure authority to intermediate and local governments.

3.03 Democratic Decentralization is a pivotal institutional mechanism that seeks active participation of community at various levels of governance. Decentralization transfers authority, responsibility and accountability in administrative, financial and political aspects to the lower or local governing unit⁸.

3.04 The Legal framework of PRIs helps GOI and State Government to decentralize various functions and governance issues over the years. Many of states have succeeded in decentralizations of decision-making and implementation of the various schemes at grass root levels.

However, following issues / concerns have still not found satisfactory answer even after the implementation of Panchayati Raj System⁹:-

- i. Incompatible relation between the three-tiers,
- ii. Inadequate availability or allocation of funds for various schemes results in non-effective implementations of various schemes formed under PRIs,
- iii. Lack of cordial relations between officials and people,
- iv. Lack of conceptual clarity regarding objective of PRIs,
- v. Un-democratic composition of various PRIs,
- vi. Disillusionment on structural functional front,
- vii. Administrative issues,
- viii. Unscientific distribution of functions,
- ix. Politics is an inevitable part of a democratic frame-work.

It is observed that once the dominant castes have managed to occupy important positions where the decisions are made, they find it easy to manipulate the plans to serve their best interests. Consequently, the schism of caste grows wider day by day, alienating the low castes farther and farther from participating in rural development programs⁹.

IV. CRITICAL ANALYSIS OF PRIS WITH REFERENCE TO EMPOWERING WOMEN AND DALITS

4.01 The main objective of the PRIs is to decentralize the administration and delegation of administrative and governance powers to the local bodies in order to reduce the intervention of the GOI and state governments so that the people are empowered and the true democracy is experienced by the citizens of the country. However, it has been always a debatable topic as how much we have succeeded in achieving the objectives and goals set for PRIs. Let us see some the issues emerging in various incidences reported by the media during last few years.

- i. Elected dominant caste people always try to influence the decision-making in their favor by using their position in socially graded society in the country and therefore one of the State Government stipulated that the entire Gram Sabha meeting would have to be Video Recorded in order to reduce the influence of the few people

- in the local bodies. This might ensure more democratic decision making in the Gram Sabha.
- ii. One of the Woman Sarpanch in Madhya Pradesh is forced to clean toilets and resort to begging to make ends meet¹⁰. Ms. Rajani Bansal, Sarpanch of the tribal-dominated Bachhama Village near Jabalpur has not even received her honorarium as a Sarpanch for months.
 - iii. Woman Sarpanch complains about husband hijacking her power¹⁰. A woman Sarpanch in Odisha, Kendrapara District, has accused her spouse of reducing her to titular head of the Gram Panchayat. This is very common phenomenon and has been reported many times by the media. Once the seat is converted to a reserved seat for woman, generally, the dominant caste person ask his spouse to contest the election and once she is elected as a Sarpanch, the spouse takes all the decisions and the elected woman remains as Sarpanch only on paper. Similar incidences are reported in case of election of a SC or ST as the Sarpanch, he or she is not allowed to take any decision and the dominant caste politician of the Village only takes all the decision on behalf of the Sarpanch. Sometime it has been reported by media that the SC or ST Sarpanch is not even allowed to occupy the seat of Sarpanch.

Although these kinds of incidences are few in numbers but it forces us to think the effectiveness of the Panchayati Raj System in empowering the Dalits and women in real sense.

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