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Resource Mobilisation through Local Institution – Scope and Limitation: A Case Study of the Autonomous District Councils of Mizoram

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Abstract: The paper attempts to trace the significance of mobilization of resources for socio-economic development and it specifically analyses human resource as the solid background for utilization of other resources. It highlights the constitutional background and role of the local institutions in mobilization of resources particularly the Autonomous District Councils of Mizoram, established under the provision of the Sixth Schedule to the constitution of India. The paper specifically attempts to assess certain issues concerning mobilization of resources in the three autonomous district councils of Mizoram, namely, the Chakma Autonomous District Council (C.A.D.C.), the Lai Autonomous District Council (L.A.D.C.) and the Mara Autonomous District Council (M.A.D.C.).

Keywords: District Council, Mizoram, resources, panchayat, constitution.

1. Introduction:

The term “Resources” in a common parlance can be described as Supply of an asset and “Resources” in a literary terminology can be formulated as the available assets. Human-being require various assets for their existence and these various assets as multi-faceted needs are readily supplied to human beings by the immediate natural

environment. Rocks, minerals, soils, rivers, plants and animals are the natural assets of the gift of nature but they become resources only after man locates them and utilize them effectively for human development. Moreover, the relative importance of a resource varies depending upon the needs of man in the different periods of human history. In addition to the above stated definitions, resources may also be classified on the basis of their sources of origin such as mineral resources, plant resources, animal resources, soil resources, land resources, water resources, forest resources, wild resources, mineral fuels and energy resources (Manabhan 1992, 88-100). Energy resources may further be classified as conventional sources of energy and non-conventional sources of energy. The conventional sources of energy comprise of water power, thermal power and atomic power whereas non-conventional sources of energy comprise of solar energy, wind energy, tidal energy, geothermal energy and biomass.

Mobilization refers to making the services of something ready for service. So, mobilizations of resources signify the utilization of various types of resources for the benefit and development of mankind. Classifying on the basis of their continued availability, resources may also be categorized as renewable and non-renewable resources. Resources like forest and water which do not get exhausted in few years but which can be used continuously are called renewable resources. Whereas non-renewable resources signify resources like mineral resources, namely, petroleum, coal, iron ore, etc. which may get exhausted in few years. It is an essential feature to note that various resources may not be mobilized in the right perspective if human resources are not adequately developed. The reason being, human resources are the most important resources of a nation. The progress and economic development of a nation depends more on human resources than material resources. As a matter of fact, nations like United States of America, Germany, Japan, United Kingdom, Spain, South Korea, Italy and France etc, developed their natural resources only after full-scale development of human skills and technology. Hence development of human resources is a requisite trend for effective mobilization of all types of resources.

Resources are not evenly found in various regions of the country because some resources are located only in a specific area. Due to that, the conversant contribution of the local institutions may be enthusiastically required by both the Centre Government and the State Governments in harnessing, preserving and mobilizing the available resources of the area. In pursuance of achieving a prerequisite axiom for mobilization of resources, the various local institutions such as District Council, Development Council, different tiers of Panchayat, Municipality and Town Committee etc. should readily implement the subjects which are constitutionally accorded within their purview. In the like manner, they should formulate a requisite strategy for utilization and harnessing of resources in their (Local institutions) respective areas without causing any detrimental situation to the political system. In retrospection of the traditional set-up, all types of resources had been strictly harnessed and mobilized under the aegis of the chief during the chieftainship era in Mizoram and other tribal areas of North East India. During the era of chieftainship, the chief had been regarded as the overall owner of resources within the village area and taxes had also been paid to him in kind for harnessing and extracting any resources. Moreover, the chief also put his utmost effort to protect and preserve any resources within his administered villages' boundary. Therefore, destruction of forests by wild-fire and unnecessary extraction of forest resources was unheard under the rule of the chiefs because the chiefs looked after them (wild life and resources) like his personal properties. In such away, the British authority might also have found the constructive result in the functioning of the traditional institution of chieftainship for control and preservation of resources. Thus, chieftainship as a traditional village government continued to function under the overwhelming supervision of the British in pre-independence era. In the meantime, new form of chieftainship had emerged as British started recognizing some new chiefs other than the hereditary chiefs of the ruling clan in the erstwhile Lushai Hills or Mizoram and the same pattern was also introduced in the present Autonomous District Council area of Mizoram or the erstwhile Pawi-Lakher Regional Council (PLRC) area. The position of the traditional chiefs for mobilization of resources in the past is now vested in the Village Councils which are under the administrative jurisdiction the District Councils in the Sixth

Schedule Area but Village Councils in other parts of Mizoram are looked after by the State Government through the Local Administrative Department (LAD). In fact, the qualities of sacrifice, integrity and effectiveness of the traditional chiefs of the past are absent with the Village Councils who are administering the village administration.

2. Constitutional background of the Local Institutions in India:

The solid base of the traditional Indian polity since Vedic times was the village republic and reference to that effect had been found as Sabha and Samiti in the Vedas. The traditional Panchayat system which had been practised for centuries was thoughtfully disrupted by the British Raj for their commercial benefits. As a corrective step for reviving the Panchayat system, the resolution for enforcement of the Panchayati Raj had already been adopted by the Indian National Congress in 1909-1910. In the meantime, leaders like Mahatma Gandhi and Dr. Rajendra Prasad were quite allergic to the industrialization and Urbanization policy of the British Administration due to the fear of over-exploitation of natural resources (Khan 2002, 102-3). Mahatma Gandhi was of the opinion that since India lived in villages, any idea of building up of the nation as a constructive aspect of the national movement had to begin from the bottom at the village level. Therefore, Gandhi had strongly advocated for implementation of Panchayati Raj and he was of the firm opinion that political democracy without economic democracy was meaningless (Patil 1989, 15-30). As a fulfillment to Gandhi's viewpoint concerning the Village Panchayat as the foundation of self-government in India; Panchayati Raj has been included in the Directive Principles of State Policy in Article 40. Consequently, the desire of Father of the Nation was constitutionally materialized with the enactment of the Constitution Seventy Third Amendment Act, 1992 and the Constitution 74th Amendment Act, 1992 of the constitution of India (Bakshi 2006, 88).

The Constitution Seventy Third Amendment Act, 1992 deals with Panchayati Raj and the Constitution 74th Amendment Act, 1992 deals with Nagarpalika system. As provided in the provision, certain subjects for mobilization of resources such as land reforms, social forestry, minor forest product, non-Conventional sources of energy, fuel

and drinking water etc. of the locality are incorporated in the eleventh schedule of the Indian Constitution to be under the jurisdiction of the Panchayat (Govt. of India, Gazette of India, Extra Ordinary Part-2, sec-2). In the like manner, urban forestry, cattle ponds, etc. of the locality are also incorporated in the 12th Schedule of the Indian constitution to be under the jurisdiction of the municipality (Government of India, Gazette of India, Extra Ordinary Part-2, sec-3 (11)).

On the other hand, the provision of the Excluded and Partially Excluded Area as provided in the Government of India Act of 1935 was favoured to be continued by framers of the constitution with certain modification. As a result, the Fifth Schedule was incorporated for the tribes of mainland India who were previously categorized as Excluded and Partially Excluded Areas under the Government of India Act of 1935. Hence, the Fifth Schedule to the constitution of India now covers tribal areas in the states of Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. Likewise, the Sixth Schedule to the Constitution of India was incorporated for tribals of undivided Assam (present North Eastern states) who were previously categorized as Backward Tracts by the Government of India Act of 1919 and Excluded and Partially Excluded Areas under the Government of India Act of 1935 (Chakraborty 2005, 120; Rao 2005, 654). Therefore, various institutions at the local level are constitutionally authorized in order to mobilize resources in their respective sphere within their administered area.

3. Role of the District Council for mobilization of resources:

The Sixth Schedule to the Constitution of India provides for legislative, executive, judicial and financial powers to Autonomous District Council within its jurisdiction. Accordingly, the structural organization of the Autonomous District Council is broadly categorized into three main organs – legislative, executive and judiciary. In fact, the working of the three organs of Government at the local level evidentially signify the autonomous power of the Autonomous District Council in the area, administered by the Autonomous District Councils (DOUNGEL 2010a, 224). The District Councils are allocated certain powers for mobilization of resources by the Sixth Schedule provision of

the Indian Constitution. In Paragraphs 3 and 6-10 of the Sixth Schedule to the Constitution of India, various powers of the District Councils are enshrined (*The Constitution of India*). In conformity with the constitutional provision; District Councils are hereby required to mobilize the available resources through their law making powers.

As already highlighted in the preceding paragraphs, human resources are the most important resources of a nation. At any rate, natural resources and various other resources may never be mobilized in the right perspective if human resources are not adequately developed. Indeed, the strength of a nation and its social, economic and political status are mainly determined by the type of potential human resources which it (nation or country) possesses and the resources, which it commands. Moreover, the capacities of the nation to utilize and conserve its (nation) resources also help in its agricultural and industrial development (Dhillon 1996-99, 1). However, any nation may never be able to utilize and conserve its resources without developing the human resources. So, when the British Christian missionaries commenced works in India, their first priority was building up of adequate human resources through education. William Pettigrew was of the view that people's ignorance coupled with gross superstitious and fatalistic beliefs could be eradicated only through education (Government of India 2005, 4).

As District Council have been conferred the power to establish and managed primary schools under Paragraph 6 of the Sixth Schedule to the Constitution of India, they (District Councils) are constitutionally required to impart qualitative education through their control of the educational system in the primary stage in their respective jurisdictional area. Subsequently, District Councils of Mizoram were handed over the power to control and manage Primarily Schools and Middle Schools in 1975 and 1994 respectively (Dounge 2010a, 105). At present, the Chakma Autonomous District Council (CADC) looks after 80 Primary Schools and 30 Middle Schools, the Mara Autonomous District Council (MADC) looks after 96 Primary Schools and 60 Middle Schools whereas the Lai Autonomous District Council (LADC) looks after 155 Primary Schools and 103 Middle Schools (2010a, 82-83). So, if the District Councils fail in their management of Schools and if the

prescribed quality and standard are not achieved, it can be assumed as failure on the part of District Council in performing its role in building up potential human resources. The reason being, natural resources or any type of resources will never be utilized to the maximum if human potential does not reach the required minimum standard. Therefore local institutions like District Councils are obliged to perform their constitutional responsibility and do the needful requirement from the grass root level for effective mobilization of the various types of resources.

4. Scope of the Autonomous District Council for mobilization of resources:

The central tasks which the nations basically ought to perform are to provide basic human necessities like food, clothing and shelter as well as to make significant improvement in the living standard of the people. As a government at the local level, enormous power is accorded to the District Council for provision of the basic necessities of life and to mobilize resources as well. Paragraph 3 of the Sixth Schedule to the Constitution of India has vested law making powers to the District Council concerning land reform and allotment of land for agriculture and other purposes, management of forest other than reserved forest, use of canal for purpose of agriculture, regulation of jhum or shifting cultivation and public health (Chakraborty 2005, 120). Therefore, District Council is empowered to make appropriate laws for the above stated subjects and it (District Council) is required to mobilize the resources without any detrimental consequence in the ecological balance of the area. Over and above that, natural resources or forest resources should not be over-exploited. At this juncture, jhum cultivation happens to be one of the principal causes for over exploitation of forest resources and wild life, as such, adequate measures should be ensured to enable the adoption of better alternative to jhum cultivation through legislation. Besides these, old laws which are behind the time should also be updated.

Various powers other than the power to establish and manage Primary School have also been accorded to District Council under Paragraph 6 of the Sixth Schedule to the Constitution of India. Hence,

the District Council has also been given powers to establish, construct or manage dispensaries, markets, cattle pounds, ferries, fisheries, roads, road transport and water ways within its administered areas. It is evident that the works done by the District Councils in the stated subject are not up to the mark for mobilization of various resources. It has also been laid down in Paragraph 7 of the Sixth Schedule to the Constitution of India, that there shall be a District Fund for each Autonomous District Council and all funds received by the Autonomous District Council should also be credited in the District Fund. The provision for establishment of the District Fund indicates the enormous scope which has been constitutionally accorded to District Council for effective mobilization of the available resources and utilizing it for a self-reliance measure through contribution to the District Fund (Govenment of India 1996, 156).

Paragraph 8 of the Sixth Schedule to the Constitution of India has also accorded wide ranging powers to District Council to assess and collect land revenue as well as to impose taxes. It also has power to levy and collect taxes on land and building, and tolls on person resident within such area. Further, the District Council shall also have power to levy and collect all or any of the following taxes within its (District Council) administrative jurisdiction area as incorporated in Paragraph 8, sub-paragraph 3 of the Sixth Schedule to the constitution of India –

- (a) Taxes on profession, trade, calling and employment;
- (b) Taxes on animal, vehicles and boats;
- (c) Taxes on entry of goods in to markets for sale therein and tolls on passengers and goods carried in ferries;
- (d) Taxes for the maintenance of schools, dispensaries or roads.

(Govenment of India 1996, 156).

Some of the above mentioned subjects with respect to collection of taxes in (b) and (d), namely, taxes on animal, vehicles and boats as well as taxes for the maintenance of schools, dispensaries or roads could not be collected by the District Councils for more than thirty

years because legislation in this regard was not enacted in any of the three District Councils. At present, all the three District Councils, namely, the Chakma Autonomous District Council (C.A.D.C.), the Lai Autonomous District Council (L.A.D.C.) and the Mara Autonomous District Council (M.A.D.C.) have enacted Taxes on Vehicle Act but taxes for maintenance of schools, dispensaries or roads have not yet been enacted by any of the three District Councils. Therefore, District Councils have to render herculean task for standardizing their legislative network.

As granted by the State Government or in agreement with it (State Government), District Council has a share of the royalties accruing each year from licenses or lease for the purpose of prospecting for, or extraction of minerals within the District geographical area in accordance with the provision, provided in Paragraph 9 of the Sixth Schedule to the Constitution of India. Further, Paragraph 10 of the Sixth Schedule has also allocated powers to District Council for regulation and control of money lending and trading by non-tribals. Autonomous District Councils have enormous responsibility and constitutional safeguard for utilization of the available resources within their administered area. However, they cannot utilize the resources due to lack of appropriate legislation because they (Autonomous District Councils) do not effectively enact laws in the subjects which are guaranteed to them by the Sixth Schedule to the constitution of India.

5. Limitation of the Autonomous District Council for mobilization of resources:

Despite facilitating it with the three organs of government at the local level and allocating enormous powers under the Sixth Schedule Provision of the Indian Constitution, the Autonomous District Councils of Mizoram face pertinent limitations which perpetual Panacea may be multifarious requirements for mobilization of resources of the area (Dounel 2006). It is an undeniable fact that the undivided Chhimtuipui District or the present Autonomous District Council area of Mizoram is the most backward area in Mizoram. After the bifurcation of Chhimtuipui District in to Lawngtlai District and Saiha District, Saiha District covers the compact area of the Mara Autonomous District

Council whereas both the entire geographical areas of the Lai Autonomous District Council (LADC) and the Chakma Autonomous District Council (CADC) are under the administrative jurisdiction of Lawngtlai District. Out of the two districts from undivided Chhimtuipui too, Lawngtlai District is more backward than Saiha District due to the primitive Brupopulation who inhabited western part of the district in the LADC administered area. As a matter of fact, Lawngtlai District is still included among the fifty backward most districts in India due to the primitive and underprivileged Bru population. In the light of its backwardness and low-level socio-economic status of the people, the World Vision India (a Christian NGO) has started a project in the area in 2001 and it is entitled as Chhimtuipui Area Development Project (CADP) (Govt. of Mizoram, 2005).

It is highlighted from the report of the World Vision India CADP that the community of undivided Chhimtuipui has little access to drinking water and proper sanitation of the area is very low. Over and above that, the agricultural product does not meet household needs of the community due to primitive agricultural status without proper irrigation. The status of the human potential and socio-economic backwardness of the area has been clearly depicted by the plan survey of the Chhimtuipui Area Development Project. Thus, the undivided Chhimtuipui area faced structural economic problem, which can be effectively addressed only from the grass root level improvement. At present, the World Vision India works through 14 projects spread over 24 states and 2 Union Territories (World Vision 2004, 2). Therefore, it will be corrective measure in the right perspective if District Council Authority co-operate with the efforts of World Vision India Project and render necessary morale support to it. Further, the District Council Authority should also be tactful enough to utilize the service of the various Non-Governmental Organizations (NGOs) for solving vexed socio-economic problem without spending the District Council exchequer. Over and above the stated limitations, some other limitations for mobilization of resources faced by District Council shall be analysed as given under the following heads:

5.1. Negligence by State Government: It is alleged by the District Council authority that the State Government does not act in a fair and

co-operative manner in its dealing with the District Councils. It is an evidentiary fact that when the same party is in power in both State and District Council, there is a cordial working relationship and the issue of non-cooperation was seldom heard. However, complaints of negligence, non-release of fund and non-cooperation are the normal grievances raised by the District Council Authority whenever different parties are in power in the two governmental set-ups. The case in point was the political turmoil in the Mara Autonomous District Council (MADC) where the Indian National Congress (INC) – Maraland Democratic Front (MDF) coalition government was tacitly manipulated and normal fund for District Council maintenance was not even released by the Mizo National Front (MNF) government of the state in 2005. Subsequently, the coalition government was shrewdly dismissed with a Machiavellian tactic and MNF government was installed from the backdoor by immediate promulgation of the nominated seats (Lai ADC records). The MADC like situation had also been witnessed frequently in the other two District Councils when different parties are in power in the state. In the midst of such negative attitude of the State Government, the District Council is totally handicapped to cope with the situation for mobilization of resources.

5.2 Inadequate efforts by District Council in law-making: Law-making is a virile criterion for effective functioning of any government. So, a government which fails in legislation automatically fails in all fronts. A government, which is not legislatively armed with up-dated laws, may not be expected to tackle any major socio-economic development programme. It is a self-evident truth to admit that District Councils also have not yet exercised the law-making powers which are enshrined in the provision of the Sixth Schedule to the Constitution of India. Certain powers, allocated to District Council under the provision of Paragraph 8 of the Sixth Schedule to the Indian Constitution such as taxes on animals, vehicles and boats; taxes for the maintenance of schools; dispensaries on road etc. have been in abeyance in the legislation of the District Councils of Mizoram for almost thirty years after the existence of the District Councils; as such, taxes on vehicles have also been enacted by the three Autonomous District Councils only in the mid- two thousands. Taxes on vehicles was enacted for the first

time by the MADC in 2005, whereas, both the LADC and the CADC could enact it only in 2009 and 2010 respectively (ADC records, Lawngtlai, Kamalanagar and Saiha). Therefore, it is unlikely that resources of the above stated subject and other resources might be effectively mobilized in the absence of appropriate laws.

5.3. Extreme Politicisation: Extreme politicisation can be rated as the root cause for certain loopholes in the functioning of the District Council system. The reason being, extreme politicization is rampant in recruitment, allocation of works, promotions, posting, bureaucratic reshuffle, distribution of contract works and over all functioning of the District Council system. In fact, capable and intelligent persons with the required qualification and potentiality cannot be appointed if they do not have good political backing. Moreover, allocation of contract works to party faithful on political consideration also usually results in the underrated works in many instances. As a result, the required resources have never been mobilized and assets have never been created as planned, due to extreme politicization of the whole system.

5.4. Dependency Syndrome: Extreme politicization of the whole District Council functioning on the basis of party narrow political consideration unequivocally paved the way for dependency syndrome. The reason being, allocation of contract works to party leaders and distribution of Development Fund to party workers intensify the flow of easy money in public. Many people prefer to lobby in the District Council office for contract works and development funds rather than working in the jhum field. So, people do not have the tendency to struggle for self-reliance in their economical needs. Instead, they would like to ask assistance from the District Council even in minor issues. On the other hand, the elected members cannot just ignore the request because they are shrewdly conscious of the people's vote. As a matter of fact, dependency syndrome stands in the way of mobilization as any type of resources as well as in the creation of human potential. Therefore, any efforts will never be utilized in the right trend if dependency syndrome is not completely eradicated.

5.5. Political Instability: Political instability is the chronic political problem faced by the District Councils of Mizoram in general and the

Lai Autonomous District Council (LADC) in particular. The three Autonomous District Councils were regularly disrupted by defection menace, power struggle and unprincipled politics from their very inception since 1972. It is an evidential fact that complete five years rule of any government was experienced only once in LADC, thrice in Chakma Autonomous District Council (CADC) and four times in Mara Autonomous District Council (MADC). On the other hand, Administrator's Rule was imposed 7 times in L.A.D.C. and one time each in C.A.D.C. and M.A.D.C. till 2006. On the other hand, Administrator's Rule was imposed 7 times in LADC and one time each in CADC and MADC till now. Over and above that, during the 40 years existence of the District Councils after the trifurcation of the erstwhile Pawi-Lakher Regional Council (PLRC), change of government had been experienced 19 times in L.A.D.C., 18 times in M.A.D.C. and 12 times in C.A.D.C. (Doungel 2010b). Therefore, any step for harnessing and mobilization of resources are unlikely to be taken up in the midst of such chronic political instability in the governmental functioning.

5.6. Lack of Centrally Sponsored Project: District Councils are not legislatively arming themselves with good laws for effective mobilization of the available resources. Moreover, District Councils are facing financial problem as they are over-staffed more than the required limit with politically appointed personnel. In the midst of this ongoing problem with respect to financial management, the District Councils' authorities are appointing their faithful followers in election in various services of the District Council; as such, the already over-staffed staffs are unnecessarily added without appropriate financial resources. On the other hand, the financial constraint of the State Government compelled the District Councils to limit their budget within a specific amount. Therefore, the budget of the District Councils cannot be vehemently increased despite the increase in the number of employees and population within the District Council. So, the District Council should assess the available resources within the District Council administered area which should be submitted to Central Government for its approval and assistance. So, if appropriate steps are not taken up in this regard for harnessing the Central fund, the limited role of the District Council will never be put to an end and all development moneys which they

obtain from the Central Government through the State Government in the form of grant-in-aid will be continually spent for salary of the staffs.

6. Conclusion:

If the local institution such as District Council cannot effectively exercise its law-making powers and cannot adequately utilize the available resources, it is unlikely that enhancement of more powers will cause any further constructive development. In retrospection, the performance of the District Councils is not up to the required standard with respect to looking after education, Land Revenue, wild life and mineral resources, as such; power enhancement cannot be expected to perform any miraculous task over night in the same subjects. Therefore, the available resources should first be effectively mobilized in order to aspire for the next higher political status. At present, even human resources cannot be harnessed in the right perspective because quality education cannot be provided to Primary Schools and Upper Primary Schools (Middle Schools) which are looked after by the District Councils. Besides the above stated loopholes, the District Councils of Mizoram are still aspiring for looking after Higher Secondary and colleges at par with Autonomous Councils and Territorial Council of Assam. However, vesting the responsibilities of administering Higher Secondary and College education to Autonomous District Councils of Mizoram may only create a mockery education system, which may deteriorate even higher education. So, higher political status should not be attempted to be achieved in haste.

Taking the pros and cons of the District Council functioning concerning mobilization of resources, the District Councils have a long way to go further in order to achieve the targeted task. So, the District Councils and other local institutions in general and the District Councils of Mizoram in particular are required to effectively exercise their constitutional powers and mobilize both the human and material resources for speedy socio-economic development of their administered areas. As India lives in villages, any development work should start from villages, involving the grassroots democratic institutions at the local level, namely, Village Councils and Panchayats in their own sphere. If not, the development will not have a far-reaching impact. As

the world is now in the midst of a globalize era, creation of qualitative human resources is the urgent need of the hour, as such, government at the various level, especially local institutions like District Council should be conscious of it. Therefore, awareness should be inculcated in the mind of the people that they should have sense of belongingness and contribution towards the country. In fact, contribution for socio-economic development of the local democratic institutions and local population in their respective areas automatically contribute to economic development of India as a whole. Thus, both human and material resources are required to be given utmost importance by local institution for socio-economic development and effective mobilization of resources. As a matter of fact, potential human resource is the solid background for utilization and development of other resources.

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