An Analysis of Odisha State Budget Session-2012







Odisha Social Watch Report 2013

An Analysis of Odisha State Budget Session-2012

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Acknowledgement

Odisha Social Watch is the state coalition partner of National Social Watch (NSW) working for strengthening the governance process in Odisha state.

The present report focuses on the functioning of the Odisha State Legislative Assembly with special reference to budget session 2012.

Coalition Partners-

Committee for Legal Aid to Poor (CLAP)-Bhubaneswar & Cuttack, Centre for World Solidarity (Odisha Resource Centre)-Bhubaneswar, Liberty Tree India-Bhubaneswar, Vasundhara- Bhubaneswar, Regional Center for Development Cooperation (RCDC)-Bhubaneswar, Gram Swaraj Samukhya-Ghatikia-Bhubaneswar, People's Cultural Center (PECUC)-Bhubaneswar, Orissa Development Action Forum (ODAF)-Bhubaneswar.

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ABBREVIATIONS

OLA	 Odisha Legislative Assembly
MLA	 Member of Legislative Assembly
BJD	 Biju Janta Dal
BJP	 Bharatiya Janta Party
INC	 Indian National Congress
NCP	 Nationalist Congress Party
CPI	 Communist Party of India
NSW	 National Social Watch
CSO	 Civil Society Organization
OSW	 Odisha Social Watch
SC	 Scheduled Caste
ST	 Scheduled Tribe
SLA	 State Legislative Assembly

Executive Summary

This study is an endeavour to analyze the budget session of the Odisha Legislative Assembly of the year 2012. It aims to appraise the functioning of state legislative assembly by looking at the attendance and participation of legislators in the question hour, different categories of questions raised together with the expenditures incurred and the time spent by the state per sitting day and per hour. The report, which relies on secondary data and is divided into three chapters, delves into the budget session of the year 2012 to draw out the learnings of the present study.

The first chapter of the report, begins with a preview of the background and rationale of the study, introduces the objectives, methodology used in the study and limitations of the study and goes on to throw light on some of the key features of democracy and development. The reader would get to know about the role and importance of legislature in good governance. The chapter underlines the significance of the budget session in a legislative assembly, which reflects the priorities of the government in financial terms.

The second chapter is an overview of the Odisha Legislative Assembly (OLA) – its composition and duration, conduct of the procedure of the sessions, maintenance of attendance of legislators, the question hour and the procedure of raising starred and unstarred questions. It then goes into the functioning of Assembly in the budget session. The graphs in the chapter show the total number of sessions and sitting days of OLA since 1937 and the total number of sitting days of the budget sessions over the last 10 years.

The third chapter, an important section of the report, brings the entire analysis, giving the reader an idea about three major aspects. In the first aspect, the analysis concerns profiles of MLA's, which examines the strength of different parties as well as their caste-, gender-, age-, and qualification-wise representation. The second aspect goes into the question hour by looking at the questions raised in OLA on the basis of participation of MLA's party-, caste-, gender-, and reserved constituency-wise. It also looks at the questions as raised along these lines as well as department-wise, district-wise, major flagship programme-wise. In the third aspect the analysis deals with the expenditure of the state for the budget session 2012 specifically in terms of the time and money spent by the state per hour. Important graphs and tables feature in this chapter to provide ample information on how the question hour is utilized by the legislators.

The final chapter contains a compilation of various presentations and feedbacks from stakeholders in course of meetings conducted as part of the study. The conclusion, moreover, brings the recommendations, arrived at by the study, for improving the quality of governance in the state as revealed in the level and the functioning of OLA.

Introduction

Democracy and Development

Democratic societies need institutions that are capable of writing good laws for achieving the intended public good. Amongst the three pillars of democracy, legislature is one where the keynotes of the ongoing democratic processes through people's participation are sounded and the seeds of good governance are continually sown.

The legislature as the highest forum of people's participation represents the public leverage by translating citizens' preferences into policies through legislation. Moreover, legislature makes the overall policy objectives realistic by bringing the felt needs of the people into debates and discussions held in the House and ensuring that governance is effective by keeping a constant vigil on the performance of institutions of governance. Legislature thus is the "nerve endings of the polity."

The legislative domain is an arena for articulation of societal differences over policy and budget-making. Among the different sessions of legislative assembly, the budget session is the most crucial as it addresses the priorities of the government, pressing problems of people as well as mobilizing the resource potential of the economy of the state and country judiciously. It also reflects the sense of urgency of the government along with its determination to pave the way for the long-term development of the economy. In this session, the budget is exclusively discussed by the legislative assembly members and voted and then passed in the House but it has been observed that the budget prepared in the state neither reflects the needs nor the demands of citizens appropriately – which goes to show that there is a gap in the interaction between legislators and constituents. In some cases legislators also lack access to the information required by them adequately to analyze government proposals and policies. As a result the needs and aspirations of people don't reflect – often not faithfully and sometimes even very little – in the policies and programmes of the government.

Objectives

- 1. To understand the functioning of state legislative assembly with specific reference to the budget session 2012
- 2. To look at the attendance and participation of legislators on the basis of gender, caste, district and constituency wise in the budget session 2012
- 3. To analyze the starred and unstarred questions on the basis of gender, caste, constituency and time devoted for different categories of questions
- 4. To compare the expenditures and time spent by the state per session and per hour.

Methodology

- The report is a compilation of data collected from secondary sources. At the outset, the researcher did a thorough review of data from documents like the history of Odisha Legislative Assembly, rules of procedures and conduct of business on OLA, acts and rules pertaining to the salary of MLAs, Assembly bulletins, list of business, details of profiles of MLAs, procedures of raising questions, starred and un-starred questions raised during the budget session 2012, etc. Once the researcher familiarized herself with the data and theories around the subject matter, data collection was carried out.
- Secondary data on the profiles of MLAs, starred and unstarred questions in Odia language, Acts and rules pertaining to salary of MLAs, list of constituencies as per reserved/unreserved seats, the details of assembly sitting days and budget session sitting days since pre-Independence period. It was collected from Web sites and books published by the Assembly secretariat recently.

Limitations

Although the study has reached its aim, there were certain unavoidable limitations:

- The study was conducted taking available questions raised during the question hour and not the answers and supplementary questions.
- The question hour is a limited part of the Assembly process. Due to non-availability of other information of the budget session 2012, in the public domain, questions were taken into analysis. So analyzing question hours have limited the scope of the study.
- To calculate the amount spent by the state on MLAs for question hour in the said budget session, the researcher had taken the total expenses on the basis of direct expenses for MLAs, which was not sufficient to draw conclusions on the exact amount spent by the state per hour and per session.



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Chapter-II

2. Odisha Legislative Assemblies: An Overview

The Odisha Legislative Assembly is the unicameral state legislature of Odisha state in eastern India. The seat of the Legislative Assembly is at Bhubaneswar, the capital of the state.

Odisha Legislative Assembly consists of 147 members. The life of the Assembly is for five years from the date appointed for its first meeting beginning with the address of the Governor under Article 176 (1), unless sooner dissolved. The expiry of the period of five years operates as dissolution of the Assembly.

2.1. Composition and Duration of the Assembly, Procedure of Sessions, Attendance and Duration of Sitting

The Governor from time to time summons the Assembly to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session. The Governor may

Subject to Article 174 of the Constitution of India read with rule 11 of Rules of Procedure and Conduct of Business in the Orissa Legislative Assembly in every calendar year the Assembly shall have not less than three sessions with minimum 60 sittings days.

also prorogue the Assembly from time to time or dissolve it. When the Governor summons the Assembly, summons are sent to each member by name, indicating the date, time and place appointed by the Governor for the session. Prorogation by the Governor terminates the session of the Assembly and within a session the Speaker may adjourn the House from time to time or adjourn it sine die.

Attendance Register: Article 190 (4) of the Constitution provides that if for a period of sixty days a member is, without permission of the House, absents himself from all meetings thereof, the House In view of this specific provision it is necessary to record the attendance of members and therefore a register is maintained for the purpose. Members are required to sign the register on the day(s) they attend the sitting(s) of the Assembly.

In computing the said period of 60 days, the period when the House is prorogued or adjourned for more than four consecutive days is not taken into account. In view of this specific provision it is necessary to record the attendance of members and therefore register is maintained for the purpose. Members are required to sign the register on the day(s) they attend the sitting(s) of the Assembly.

2.2. Questions

Starred, Unstarred and Short Notice **Ouestions and Half an Hour**

The first hour of every sitting shall be available for the asking and answering of questions unless the Speaker for special reasons otherwise directs.

For the purpose of answering questions, the departments of government are divided into groups, and dates are fixed for each group. The ministers concerned are required to answer the questions relating to the group.

Time and Duration of Sittings

Unless the Speaker otherwise desires, the sitting of the Assembly shall commence at 1030 Hours and conclude at 1900 Hours with a lunch break of two hours, which shall be from 1300 Hours to 1500 hours. The Speaker under special circumstance allowed the House to continue till 2100 Hours.

Questions are classified as starred questions, unstarred questions and short notice starred questions.²

² http://ws.ori.nic.in/ola/hand4.htm

If a member desires an oral answer to his questions, he shall distinguish it by an asterisk mark (*) before it and such a question is called starred questions. If he does not distinguish it by an asterisk mark, the questions shall be printed in the list of questions for written answers which are called unstarred questions. The questions are answered in the order in which they are printed in the list of questions put for the day. No member shall give notice of more than three starred questions and five unstarred questions for any one day for any sitting day.³

Supplementary questions can be asked for the purpose of eliciting further information on any matter of fact. A member who desires to put supplementary questions should be quick to catch the Speaker's eye, failing which he may lose the chance. The Speaker decides the number of supplementary according to the importance of a question.

On urgent matters and matters of public importance, members may put short notice questions, in which case notice period of 14 clear days is not observed. If the Speaker is of the opinion that the question is really of such character, he may direct that an inquiry may be made from the minister, if he is in a position to reply with shorter notice and if so, on which date. If the minister is unable to answer, the question is disallowed but if the Speaker is of the opinion that the question is of sufficient public importance, he may direct that it be answered as the first question on the day allotted to the group.

Notices of questions must be in writing. Forms for giving notice of questions are supplied to members on request. It will facilitate the office, if only one question is written on one form. For a question to be admissible, it must satisfy the various conditions detailed in the Rules of Procedure and Conduct of Business in the House. The Speaker decides the admissibility of questions. After a question is admitted, it is sent to the department concerned for furnishing answers to the minister concerned.

List of starred, unstarred and short notice questions is drawn up for each category and circulated to all concerned. The Questions are listed as per

³ Book on Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly, published by the secretariat of Odisha Legislative Assembly, Bhubaneswar corrected up to Feb 2009

the order of priority determined by ballot. The dates on which ballot will be held are intimated to members sufficiently in advance. Members are free to witness the ballot.

Any member may give notice to initiate a half-an-hour discussion on the matter of sufficient public importance, which has been the subject of a question, oral or written and the answers need elucidation on a matter of fact. The Speaker may allot half an hour during three sittings in a week for such discussion.

2.3. Functioning of OLA on Budget Session

The budget session takes place once in a year before the financial year starts. It involves three stages. The first initiative is taken at the regional and divisional level to prepare the budget and send it to state level, then discussion is held on it to finalize and consolidate the entire regional level budget. The third and final step is to review and see how far the target is envisaged. The finance department is responsible for the preparation and presentation of budget documents to the Assembly. Then the budget is presented by the finance minister and passed by the Assembly as per the Rules for Conduct of Business in OLA. After a minimum of two days' interval, the general discussion starts and towards the last day of the discussion, the finance minister shall reply to the questions raised by members. After the general discussion, the demands for various departments are taken up for discussion as per the day fixed for voting. On the day fixed for voting on a demand for grants, the minister concerned in whose name the demand is allotted, moves the demand in the Assembly for voting. After the demands are voted on, an appropriation bill is presented in the Assembly with the consent of Governor. Then the discussion is held on various aspects of the budget and the functioning of government followed by the reply of the finance minister to the points raised by ministers. The appropriation bill passed in the Assembly and assented by the Governor gets enacted for incurring expenditure out of the budget.⁴

⁴ An Article on State Budget and its Preparation: by Krushna Chandra Badu, ex-special secy to the government, finance department, published in 2004

2.4. Assembly-wise Sitting Days of all Sessions and Year-wise Sitting Days of Budget Session

Orissa became a separate province on April 1, 1936 by the Government of India (Constitution of Orissa) Order, 1936, and was placed under the personal Rule of the Governor till the end of March, 1937. Under the Government of India Act, 1935, the strength of the Orissa Legislative Assembly was fixed at 60 including four nominated members. The second pre-Independence assembly continued from 1946 to 1952 with a total representation of 60 from political parties. It consisted of a total number of 14 sessions with 224 days. The first general election on the basis of universal adult franchise started from 1952 with 140 seats, which was the first Assembly after Independence. The Assembly sessions continued for five years except emergency situations, where President's Rule was declared for six times between 1952 and 2007.

As mentioned in the Constitution, the number of total sitting days per year should not be less than 60 days unless desired by the Governor, which means it should be mandatorily 60 days or more than 60 days. But while analyzing the average number of sitting days per calendar year from 1st pre-Independence assembly to 14th Assembly, it was found to be 49. This means the numbers of Assembly sitting days per calendar year over the period from 1937 till 2009 have fallen short of the constitutionally mandated provision.

The present study has at its core the analysis of the budget session, so it was equally important to look into the details of sitting days of the budget session.

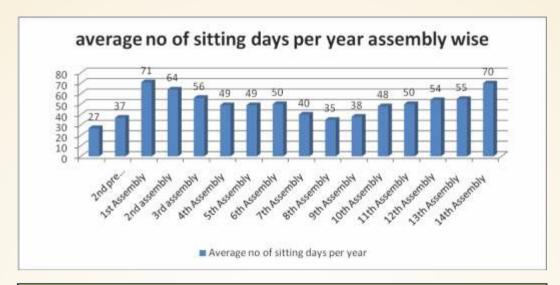
Table 2.1
Details of Days of Sitting Assembly-wise since 1937

Assembly	Date Ses		No. of Years	Total No. of Sitting Days	Average No. of Sitting Days per Year
First Pre-Independence Assembly, 1937	03.02.1937 to 14.04.1945	10 sessions	8	188 days	27
Second pre-Independence Assembly, 1946	18.04.1946 to 20.02.1952	14 sessions	6	224 days	37
First Assembly, 1952	20.02.1952 to 04.03.1957	9 sessions	5	356 days	71
Second Assembly , 1957	01.04.1957 to 25.02.1961	7 sessions	4	254 days	64
Third Assembly, 1961	21.06.1961 to 01.03.1967	10 sessions	6	335 days	56
Fourth Assembly, 1967	01.03.1967 to 23.01.1971	10 sessions	4	195 days	49
Fifth Assembly, 1971	23.03.1971 to 03.03.1973	5 sessions	2	97 days	49
Sixth Assembly, 1974	06.03.1974 to 30.04.1977	9 sessions	3	150 days	50
Seventh Assembly, 1977	26.06.1977 to 17.02.1980	7 sessions	3	121 days	40
Eighth Assembly, 1980	09.06.1980 to 09.03.1985	10 sessions	5	176 days	35
Ninth Assembly, 1985	09.03.1985 to 03.03.1990	11 sessions	5	188 days	38
Tenth Assembly, 1990	03.03.1990 to 15.03.1995	17 sessions	5	239 days	48
Eleventh Assembly, 1995	15.03.1995 to 29.02.2000	I / sessions 5 7/1x day		248 days	50
Twelfth Assembly, 2000	29.02.2000 to 26.02.2004	13 sessions	4	214 days	54
Thirteenth Assembly, 2004	15.05.2004 to 19.05.2009	17 sessions	5	275 days	55
Fourteenth Assembly, 2009	08-06-2009 to 27.08-2011	7 sessions	2	140	70

Source: Book on Sitting Days of OLA, published by OLA, Bhubaneswar, 2009

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Graph 2.1 Average Number of Sitting Days per Year Assembly-wise



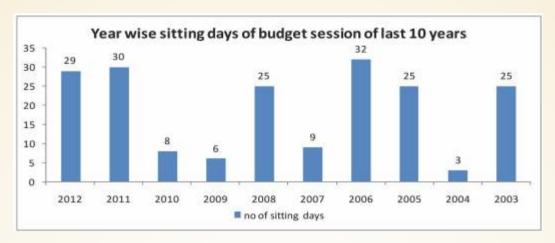
As per the constitutional provision, the total sitting days per calendar year should not be less than 60 days, but as shown in the graph, except 1st, 2nd and 14th assembly, the average number of sitting days per calendar year was found to be 49 from 1st pre-Independence assembly to 14th assembly.

The present study has at its core the analysis of the budget session, so it was equally important to look into the details of sitting days of the budget session. Since the minimum number of sitting days per calendar year is 60 days with a minimum of three sessions in a year, the average number of sitting days per budget session is supposed to be 20 days in a year.

Graph 2.2 Year-wise Sitting Days of Budget Sessions from 2003-2012

Graph 2.2 shows the trend of rise and decline in sitting days of budget sessions over the past 10 years (2003-2012). During the time of preelection, the budget sessions of the Assembly had not met the mandated criterion of the number of sitting days. For example, as shown in Graph 2.2, the budget session of 2004 took place for a period of three days in the month of February as the next assembly was constituted in May 2004.

Graph 2.2 Year-wise Sitting Days of Budget Sessions from 2003-2012



Similarly, in 2009 the budget session took place for a period of six days in February and the next assembly was constituted in May 2009. This shows that the pre-election period has a lot of influence on budget sessions of the Assembly. Moreover, the average number of sitting days per budget session in the last 10 years was found to be 19 days.

On an average, the number of sitting days per budget session from 2003 to 2012 was found to be 19 days, which is less than the constitutionally mandated number of days.



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Chapter-III

Budget Session of Odisha Legislative Assembly

The budget session (9th) of 14th legislative assembly commenced on Tuesday, February 21, 2012 and concluded on Saturday, April 7, 2012. The House was adjourned for recess from 1st to 13th March for a period of 13 days. It included 27 sitting days, 8 sitting days in the initial part and 19 sessions in the second part of the session.

Table-3.1 List of Business Days in Budget Session, Feb 2012

Month	From	То	Total days	Total hours spent
Feb	21.02.2012	25.02.2012	5	34.36
	27.02.2012	29.02.2012	3	22.03
March	14.03.2012	17.03.2012	4	31.25
	19.03.2012	23.03.2012	6	51.36
	26.03.2012	31.03.2012	6	59.22
April	02.04.2012	05.04.2012	4	37
	07.04.2012		1	NA
Total			29 days	235.22

Source: http://ws.ori.nic.in/ola/bul160312.pdf

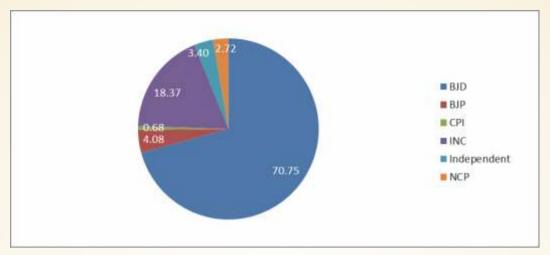
Note: The number of hours spent on 07/04 is not available in the above mentioned sources.

Key Findings 1. The sessions witnessed a considerable amount of time spent: 235.22 hours, which is 97% of the scheduled time. This indicates that a significant amount of time was spent for budget session 2012.

3.1 Strength of OLA Party-wise, Gender-wise, Caste-wise, Age-wise, Qualification-wise

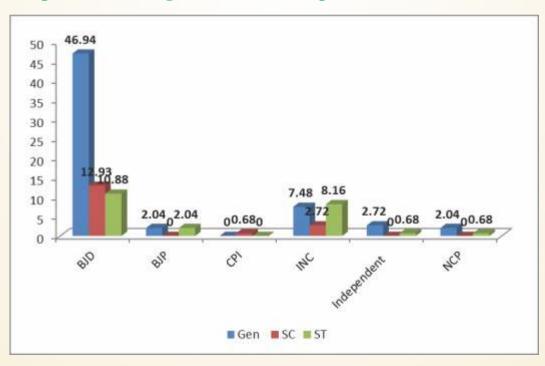
The strength of OLA is 147. The BJD, the ruling party of the state, holds 104 seats, followed by the INC with 27 seats, the BJP with 6 seats, independent MLAs holding 5 seats and the NCP with 4 seats while the CPI occupies the least number of seats in one constituency. The BJD has remained the ruling party since 2000 in the state.

Graph 3.1 Percentage of Parties' Strength in OLA



Source: {"http://ws.ori.nic.in/ola/mlaprofile/profilepage.asp"}

Graph 3.2 Percentage of Caste-wise Representation from Parties



Source: {"http://ws.ori.nic.in/ola/mlaprofile/profilepage.asp"}

Key Findings 2. The number/percentage of general caste members in all the parties was more than the percentage of SC and ST members except the CPI, which does not have any general caste and ST members. Similarly, the BJP, Independents and the NCP did not have any SC members. This indicates the predominance of general category members vis-à-vis SC and ST members.

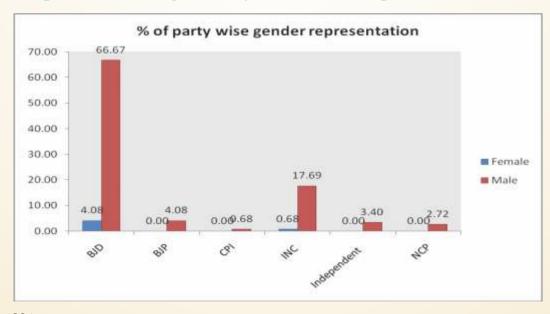
Gender Representation in OLA

Out of the total number of 147 MLAs, there are 140 men and 7 women MLAs in OLA, which constitutes only 5 per cent of the total strength. Currently, the percentage of women MPs in parliament 11 per cent and the percentage of women MLAs in larger states are much higher, with Madhya Pradesh has the highest number of women MLAs (21 per cent), followed by Uttar Pradesh (15 per cent) and Gujarat (15 per cent). Even their percentage in neighbouring states of Odisha is higher: Bihar has 10.3 percent women MLAs, West Bengal 9 per cent, and Andhra Pradesh 8.8. Odisha is very low on this scale of rating.

Source- {"http://ws.ori.nic.in/ola/mlaprofile/profilepage.asp"}, {"http://www.ndtv.com/video/player/news/bihar-32-women-mlas-in-a-house-of-243/178454"},

http://ibnlive.in.com/news/indian-parliament-at-60-years-facts--statistics/257794-3.html

Graph-3.3 Percentage of Party-wise Gender Representation in OLA



As shown in graph 3.3, the percentage of women in different parties was also very low in different parties, and out of six parties four did not have any women members at all.

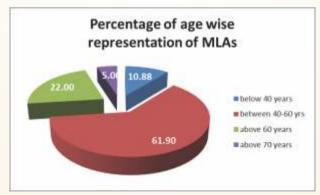
Key Findings 3. The percentage of women representation in the legislature is very low as compared to parliament, in SLAs in larger states of India and neighbouring states. Despite the fact that Odisha legislatures have ensured 50% reservation in respect of women in local Government bodies in the state.

Age-wise Representation

Out of the total number of 147 members, 11 per cent of the members were below 40 years, 27 per cent of the members were above 60 years and the majority of the members, 62 per cent, were in the age group of 40 to 60 years as against the parliament status, where 14 per cent of MPs are below 40 years of age, 43 per cent are between the age group 40-60 years of age.

Graph-3.4 Percentage of Age-wise Representation of MLAs

{"../../NSW/My Documents/
My Documents/Downloads/final report SW-14th April"}



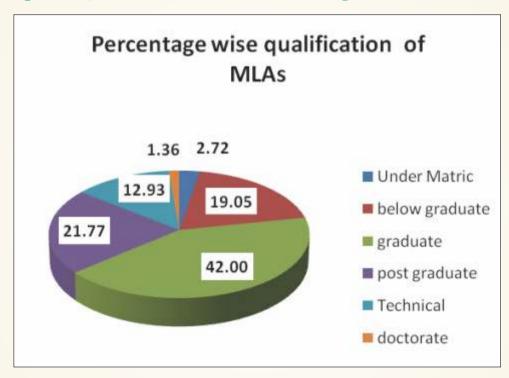
Source: http://ws.ori.nic.in/ola/mlaprofile/profilepage.asp

Key Findings 4. The maximum numbers of Assembly members belong to the age group 40-60 years. However, there are 11 per cent young legislators and 5 percent of legislators are over 70 years of age in OLA as on 2012.

Education Levels of MLAs

The percentage of MLAs in OLA under-matriculate was found to be 2.7 per cent. The percentage of MLAs below graduates was found to be 20 per cent in OLA. The percentage of the above-graduates (includes post-graduate, doctorate, technical degree holders) was 78 per cent.

Graph 3.5 Qualifications of MLAs Percentage-wise



Source: {"http://ws.ori.nic.in/ola/mlaprofile/profilepage.asp"} http://ibnlive.in.com/news/indian-parliament-at-60-years-facts--statistics/257794-3.html

Key Findings 5. Out of 147 MLAs 42 percent are graduate, 19 percent are below graduate, 22 percent are post-graduate, 13 percent are from technical background, 1 per cent have doctorates and 2.7 percent are under-matric.

3.2. MLAs' Participation in Question Hour

Asking questions is an inherent and fundamental right of Assembly members. It is through these questions that the general public is able to communicate their grievances and demands through questions posed by their representatives. The question hour also enables ministers to understand the reactions of various members representing various parts of the state and to incorporate their views in policies and decision-making. At times these questions also translate into state debates and commissions or even court of enquiry. These instruments are used to investigate matters that are of considerable importance to the public and which demand immediate action. During the question hour, a member can ask questions on every aspect of administration and governmental activity and policies. Government policies in national as well as international spheres come into sharp focus as the members try to draw forth relevant and important information. The ministers are often quick to respond to questions raised by members and at times there are wisecracks and sparks of humour in the House.

During the budget session 2012, it was noticed that various types of questions were raised such as starred, unstarred, supplementary, short notice questions, questions to private members, etc. However, the present study has focused on analyzing the starred and unstarred questions raised during the session from February 21, 2012 to April 7, 2012.

ANALYSIS

Considering all the available questions in the Assembly and their classifications

- Number of starred and unstarred questions from different party lines
- Number of questions raised department-wise
- Number of questions raised reserved and unreserved constituencies
- A number of budget- and non-budget-related questions asked
- Classifications of questions member-wise and district-wise
- Participation of SC, ST and women representatives in raising questions
- Questions raised on important flagship programmes like MGNREGS, and PDS as well as safe drinking water, rural connectivity, sanitation, women, SC and ST, farmers etc
- Questions raised on rural and urban poor, and urban area
- Rate of expenditure and time spent by the state per MLA, per hour and per question

During the 2012 budget sessions of the Legislative Assembly of Odisha, there were several serious questions on developmental issues such as adulterated liquor tragedy, health and sanitation, provisions under right to education, special provision for droughtaffected areas, presentation of budget etc. The sessions were conducted for 29 days and during most of the crucial question and answer sessions, 3,613 starred and unstarred questions were raised addressing different departments of the Odisha government, out of which 840 were starred questions and 2773 unstarred questions. The present study looked into a total of 3323 questions – 835 starred questions and 2488 unstarred questions – for analysis.

Table 3.2 Participation of MLAs during Question Hour Party-wise

Name of the Party	Representation	Number of	Party-wise
	in Number	Questions	Questions Raised
		Raised	by Members
BJD (ruling party)	79	1625	21
INC	27	1160	43
BJP	6	273	34
Independent	5	165	33
NCP	4	78	20
CPI	1	22	22
Total	122	3323	

Source: http://ws.ori.nic.in/ola/question/stselect4.asp

Key Findings 6. While the BJP, the INC and Independent (opposition) members had raised questions and participated actively, the participation of Ruling Party was minimal.

Table 3.3 shows while male members raised 28 questions per member irrespective of parties, female legislators raised nine questions each, which shows that the women representation is not only low in the legislative Assembly but also they did not participate actively.

Table 3.3 Gender, Caste and Constituency-wise Questions Raised

Gender-wise	Total no. of questions raised	Number of legislators	Per-member questions raised
F	37	4	9
M	3286	118	28
Caste-wise			
Gen	2454	71	35
SC	265	22	12
ST	604	30	20
SC and ST Constituency-wise			
SC	263	24	11
ST	581	33	18
Unreserved	2479	90	28

Source: http://ws.ori.nic.in/ola/question/stselect4.asp

{"http://ws.ori.nic.in/ola/mlaprofile/frtoall_1.asp"}

Similarly, while looking at the caste-wise participation in the question hour general caste members had raised almost double the number of questions that the SC and ST caste members did.

In order to ensure political participation and provide special attention to SCs and STs, the Constitution has created the provision of reserving a certain number of constituencies for SC and ST population, which rotates as per the population percentage of SCs and STs. So in 14th Assembly 2009, there were 24 seats reserved for SC constituencies, from where only SC members could contest in the election, and 36 seats were reserved for ST members, from where only ST members could contest, and the remaining 87 seats were kept unreserved for all caste categories to contest.

So it was worthwhile to look into the questions raised per member from reserved constituencies. As mentioned in Table 3.3, the questions raised per member from SC constituencies were 11 and those from ST constituencies were 18 whereas each member from unreserved constituencies had asked 28 questions.

Key Findings 7.

- 1. Each female member of all the parties had raised three times less numbers of questions than the male members.
- 2. SC members of all the parties had raised three times less and ST members had raised two times less number of questions compared to general caste members from all the parties.
- 3. The members of reserved constituencies had raised two times less number of questions than the unreserved constituency members.

Questions Raised Department-wise

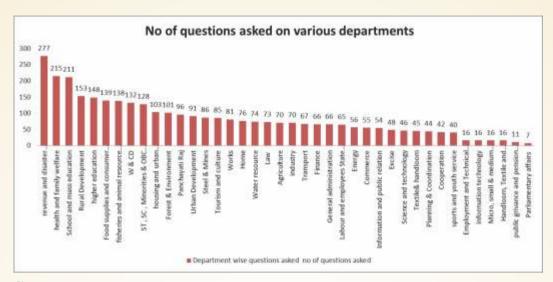
There are 40 departments in the state of Odisha. Apart from the participation of MLAs in the question hour, it was also vital to look into the type of questions asked on various departments, the number of legislators who took part in raising questions, important issues and priorities of people addressed.

So while analyzing the questions department-wise, it was observed that all the 3,323 questions were asked on 40 departments. But the number of questions on different departments varies from seven to 277. Over 100 questions were asked on 11 departments such as forest and environment, fishery and animal resources, rural development, women and child development, SCs, STs and minorities department, revenue and disaster management departments, health and family welfare department, school and mass education department, housing and urban development department, food supplies and consumer protection department and higher education department. Similarly, less than 20 questions were asked on six departments such as parliamentary affairs, public grievance and pension, textile and handloom, employment and technical education, micro, small and medium enterprise, and textile and handloom department.

Even though Odisha is a state where the major source of livelihood is agriculture, there were only 70 questions raised on agriculture and 74 questions raised on water resource department, which is a major supportive department for ensuring livelihood in the state.

Maximum priority was given to three major departments such as revenue and disaster management department, health and family welfare department and school and mass education department.

Graph 3.6: Number of Questions Raised Department-wise



Source: http://ws.ori.nic.in/ola/question/stselect4.asp

Key Findings 8. The department of revenue and disaster management was given top priority on which 277 questions were raised whereas the department of parliamentary affairs received less priority with just seven questions raised on it. The top three departments which had attracted greater numbers of questions were revenue and disaster management, health and family welfare, school and mass education, which speaks of the priority the general public gives to the said departments. The three departments at the bottom of priority as reflected in the number of questions asked in the state legislature are parliamentary affairs, public grievance and pension, textile and handloom departments.

To further analyze departments and the type of questions raised on it, there were certain criteria used by the researcher to find out the nature and type of questions raised on these departments.

1. Budget/Non-Budget Related: The questions which were related to income, expenditures, and estimates of the state were taken as budgetrelated questions, whereas the questions other than budget-related were taken as non-budget related questions.

2. Rural Poor/Urban Poor/Urban Infrastructure/General or **Administration-Related:**

Urban Poor: For questions which reflect the benefits going to the urban poor, the label of urban slum/poor is used in the questions.

Rural Poor For questions which reflect the benefits going to rural people, the label 'village' or 'rural area' is used.

Urban Infrastructure: For questions which reflect the benefits going to urban areas the label of urban area is used, as in references to Ravenshaw College, SCB Medical College, and Bhubaneswar Municipal Corporation etc.

General/Administration-Related Questions: The questions which are related to administrative matters such as appointment, termination, list preparation etc.

3. Regional /State Level: The questions which were asked on various districts or blocks or panchayats were considered as regional level questions while those which were raised about the state were considered as state level.

Questions Raised MLA-wise

Out of the total number of 147 MLAs, 25 were supposed to answer questions and facilitate the process of the Assembly. The rest of the 122 MLAs are responsible for raising the issues, priorities and demands of people, but analyzing the exact number of MLAs who participated in the question hour, it was found only 75 MLAs had participated in the question hour, which means they had raised either starred or unstarred questions in the Assembly question hour session. The rest of the 47 members had not participated in the question hour, which accounts for almost 39 per cent of the MLAs.

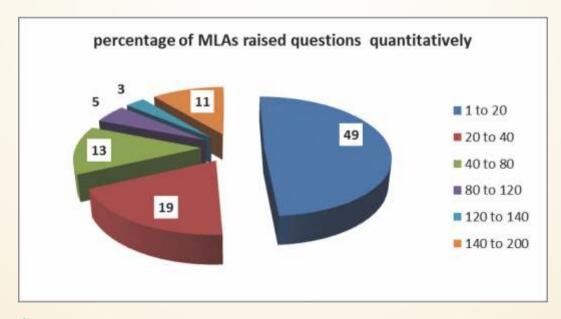
Table 3.6 Percentage of MLAs Raised No. of Questions

No. of Questions	No. of MLAs	Percentage Questions Raised
1 to 20	37	49
20 to 40	14	19
40 to 80	10	13
80 to 120	4	5
120 to 140	2	3
140 to 200	8	11
	75	

Source- {"http://ws.ori.nic.in/ola/question/stselect4.asp"}

Out of a total of 75 MLAs, 30 per cent of the MLAs had raised 1 to 20 questions; whereas the maximum numbers of questions (140 to 200) were raised by only 6.5 per cent of the MLAs. This indicates that even though they participated in the question hour, very few MLAs were actively raising questions.

Graph-3.7 Percentage of MLAs & the No. of Questions Raised



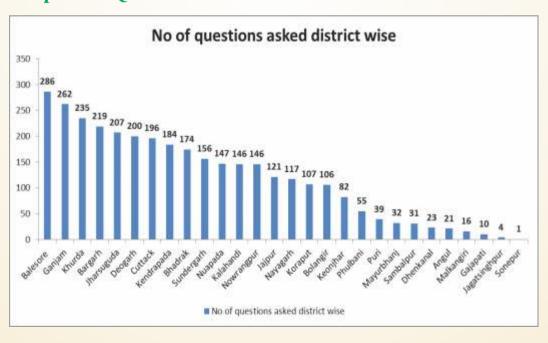
Source: {"http://ws.ori.nic.in/ola/question/stselect4.asp"}

Questions Raised District-wise

There are 30 districts in the Odisha state. Usually during the question hour, MLAs of different districts give priority to their own districts while raising questions. Analyzing the number of questions raised by MLAs district-wise, it was found that all the 3,323 questions were asked on 28 districts and on Rayagada and Boudh districts not even a single question was raised.

Key findings 10 - Even though only 61% of the MLAs participated in the question hour, the majority of (43%) MLAs raised only 1 to 40 numbers of questions, 13% of the MLAs raised 40 to 80 numbers of questions and only 19% of the MLAs raised 80 to 200 numbers of questions that shows the very less percentage of MLAs participated very actively in the question hour.

Graph- 3.8 Questions Raised District-wise



Graph 3.8 depicts all the 3,323 questions were raised on 28 districts and the remaining 2 districts were ignored. This indicates that the questions asked were not evenly spread across the districts. Maximum questions were asked on three districts such as Balesore, Ganjam, Khurda while minimum questions were asked on Sonepur, Jagatsingpur and Gajapati districts.

The example of undivided Koraput-Bolangir-Kalahandi (KBK) region may be taken into the analysis. The region has been the focus of the political agenda of all political parties as it covers the maximum number of tribals and people below poverty line (BPL). But there were only 521 questions, 15 percent of the total questions, asked about undivided KBK districts.

Secondly, under the Integrated Action Plan (IAP), Rs 540 crores was allocated for the year 2012-2013 @ Rs 30 crores per district in selected tribal and backward districts of Odisha, numbering 18, viz. Bolangir, Deogarh, Gajapati, Kalahandi, Kandhamal, Keonjhar, Koraput, Malkangiri, Mayurbhanj, Nowrangpur, Nuapada, Rayagada, Sambalpur, Subarnapur, Sundergarh, Ganjam, Jajpur and Nayagarh distircts. Only 1826 questions were asked on these 18 districts. This shows that the question hour had not given due importance to discussing governance in districts where the bulk fund of the state goes.

Note: The KBK region comprising undivided Koraput (i.e., Koraput, Nawarangpur, Malkanagiri & Rayagada), undivided Bolangir (i.e., Subarnapur & Bolangir) and undivided Kalahandi (i.e., Kalahandi & Nuapada) districts are the poorest and most backward region of the country. As per the estimates of the 55th round of NSS Survey conducted in 1999-2000, the incidence of rural poverty was as high as 87.14 per cent. The region suffers from acute economic, social and gender disparities, and has very adverse socio-economic and human development indicators. The multifaceted deprivation and backwardness of the region are the result of deep-

rooted processes that have to do with a complex mix of geography, political and economic realities, and social factors. This region in general and undivided Koraput and Kalahandi districts in particular are almost at the bottom of the list of 250 Backward Districts identified under Backward Regions Grant Fund (BRGF). Therefore, long-term and holistic development strategies are planned to bring this region closer to the mainstream. So the region has been receiving special central assistance (SCA) of Rs 250 crore under RLTAP from 2003-2004 for a period of 10 years. Similarly, with a view to maintaining and strengthening the momentum gathered by RLTAP and upscaling the public investment in the KBK region, the state government has launched a new initiative, called 'Biju KBK Plan' under State Plan as a tribute to late Biju Patnaik who was the first to conceive a Long-Term Action Plan for the KBK region. The Biju KBK Plan was implemented over a period of 5 years effective from the year 2007-08 to 2011-2012 and envisages an annual outlay of Rs 120 crores over and above normal plan allocations, and the Special Central Assistance that may be available to the region under the Backward Regions Grant Fund (BRGF). The Biju KBK Plan formed part of the Special Area Development Project that was constituted, vide Planning & Coordination Department Resolution No. 4148/LTAP-86/99/P, dated 14.03.2000.

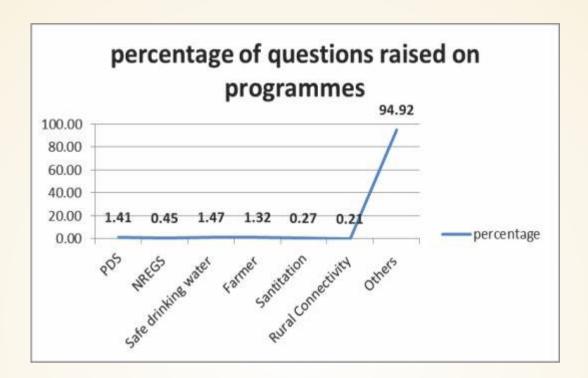
Key Findings 11. In the question hour, questions were raised on 28 districts and two districts were ignored. Only 15 per cent of questions were raised on KBK districts, the priority districts; in need of attention.

Programme-wise Questions Raised

The state government allocates a major portion of its budget expenditure for important flagship programmes of the state -- for example, NREGS and Rural Water and Sanitation Scheme. The government of Odisha allocated Rs 243 crores for national rural drinking water programme and Rs 40,000 crores for NREGS programme. Similarly, TPDS, connectivity, sanitation, and programmes for farmers have remained major programmes to ensure food security. So a look at the percentage of questions raised on these programmes was deemed relevant to the present study.

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Graph 3.9 Percentage of Questions Raised on Important Flagship Programmes



Graph 3.9 shows that a very small percentage of questions were raised on these flagship programmes and other programmes while a greater percentage of questions (approximately 95 per cent) were asked on others. This shows again that there was no qualitative usage of the question hour of the assembly session.

The below mentioned tables 3.7 to 4.0 gives the details of data on starred and unstarred questions raised programme-wise; starred and unstarred questions raised most vulnerable group-wise; state-and regional-level questions raised programme-wise; and budgeted and non-budgeted questions raised programme-wise.

Table 3.7 Starred & Unstarred Questions on Major Flagship Programme-wise

			Safe					
			Drinking			Rural		
	PDS	NREGS	Water	Farmers	Sanitation	Connectivity	Others	Total
Starred	15	4	10	9	0	0	797	835
Percentage	1.80	0.48	1.20	1.08	0.00	0.00	95.45	100.00
Un-starred	32	11	39	35	9	7	2355	2488
Percentage	1.29	0.44	1.57	1.41	0.36	0.28	94.65	100.00
Total	47	15	49	44	9	7	3152	3323
Percentage	1.41	0.45	1.47	1.32	0.27	0.21	94.85	100.00

Table 3.8 Starred and Unstarred Questions on Most Vulnerable Group-wise

	Women	SC	ST	Others	Total
Starred questions	13	5	10	769	797
Percentage	1.56	0.60	1.20	92.10	95.45
Unstarred questions	39	14	53	2249	2355
Percentage	1.57	0.56	2.13	90.39	94.65
Total	52	19	63	3018	3152
	1.56	0.57	1.90	90.82	94.85

Table 3.9 State and Regional-level Questions on Programme-wise

			Safe				
			Drinking		Rural		
	PDS	NREGS	Water	Sanitation	Connectivity	Others	Total
State	24	6	10	1	2	1512	1555
Percentage	1.54	0.39	0.64	0.06	0.13	97.23	100.00
Regional	23	9	39	8	5	1684	1768
Percentage	1.30	0.51	2.21	0.45	0.28	95.25	100.00
Total	47	15	49	9	7	3196	3323
	1.41	0.45	1.47	0.27	0.21	96.18	100.00

Table 3.10 Budgeted and Non-budgeted Questions on **Programme-wise**

	PDS	NREGS	Safe Drinking Water	Farmers	Sanitation	Rural Connectivity	Others	Total	Percentage
Budgeted	5	3	2	12	1	2	510	535	16
Percentage	0.93	0.56	0.37	2.24	0.19	0.37	95.33	100.00	
Non-									84
Budgeted	42	12	47	32	8	5	2642	2788	
Percentage	1.51	0.43	1.69	1.15	0.29	0.18	94.76	100.00	
Total	47	15	49	44	9	7	3152	3323	100
Percentage	1.41	0.45	1.47	1.32	0.27	0.21	94.85	100.00	

Irrespective of the categories, the percentage of questions on programmes ranged from 0.1 to 5 percent, whereas that of other questions varied from 94 to 97 per cent.

Key Findings 12. In the budget session 2012, only 16 per cent of the budget related questions were raised against 84 per cent of nonbudget-related questions. Only 5 per cent of the questions were raised on major flagship progarmmes, farmer's issues and PDS against other questions. Only 0 to 3 per cent of the total questions were raised on women, SCs and STs against men and other castes.

Amount Spent on Budget Session 2012

The state of Odisha has made provisions of direct expenses for MLAs such as salary and other allowances like consolidated allowance, secretarial allowance, conveyance allowance, fixed allowance, books and journals allowance, electricity allowance, and medical allowance. Besides, there are special provisions of daily allowances and travel allowances paid to legislators to attend Assembly sessions. Apart from these, there are indirect expenses for conducting an assembly session such as security expenses, medical expenses, and food expenses during demand presentation by committees that are jointly borne by the departments concerned and the Assembly.

The present study has taken only direct expenses to analyze the amount spent on the budget session per day, per hour etc.

Table 3.11 Provision of Salary and Allowances Paid to Each Category of **Legislators Monthly**

Category of members	Salary (A)	Consolidated allowance(constituency allowance and secretarial allowance)(B)	Conveyance allowance (C)	Fixed allowance (D)	Books , journals, etc allowance(E)	Electricity consumption allowance (F)	Medical allowance (G)	Total honorarium for 30 days H=(A+B+C+D+E+ F+G)
Member	16000	13000	7000	8000	1000	2000	5000	52000
Leader of Opposition	24000	24000	7000	8000	1000	2000	5000	71000
Deputy whip	22000	24000	7000	8000	1000	2000	5000	69000
Chief whip	24000	24000	7000	8000	1000	2000	5000	71000

Table 3.12 Provision of Special Allowances Paid during Assembly Session and Honorarium Paid per Day to Each Category of Legislators

Category of member	Total honorarium	Total	Daily	To and fro travel	Total direct	Per day direct
	of one MLA for 30	honorarium	allowance of	charges @Rs	expenses spent	expenses spent for
	days	of one MLA	one MLA	10/- per km for	for one MLA in	one MLA during
	H=(A+B+C+D+E+F	for 29 days	800x29 days	budget session	29 days L=(I+J+K)	budget session 2012
	+G)	I=(H/30*29)	(J)	(K) of one MLA		M=(L/29)
Member	52000	50266.67	23200	2280	75,747	2612
Leader of opposition	71000	68633.33	23200	4120	95953	3309
Deputy whip	69000	66700	23200	880	90780	3130
Chief whip	71000	68633.33	23200	1600	93433	3222

Note: The amount of column K varies from person to person depending upon the distance in kilometres from their constituencies to the Assembly Secretariat.

Table 3.13 Total Honorarium, Assembly Allowances and Total Direct **Expenditures on Each Category of Legislators**

Category of members	Total	Total	Daily	To and fro	Total direct	Per day direct
	honorarium for	honorarium	allowance	travel charges	expenditure for 29	expenses per day
	30 days	for 29 days	800x29	@Rs 10/- per	days per MLA	per MLA during
	H=(A+B+C+D+E+	(I=H/30*29)	days (J)	km for budget	(L=I+J+K)	budget session
	F+G)			session (K)		(M=L/29)
All the members	7464000	7215200	3340800	317740	10873740	374956.6
Leader of opposition	71000	68633	23200	4120	95953	3309
Deputy whip	69000	66700	23200	880	90780	3130
Chief whip	71000	68633	23200	1600	93433	3222
					11153907	384617

Table 3.14 Amount Spent on MLAs, Per Question and Per Hour (Question Hour)

Total hours the house should function in a day	8 hours
Total number of hours the assembly should function in 29 days	232 hours
Total hours the house actually functioned	235.22 hours
Total direct expenditure for 29 days/235 hours in budget session 2012	11153906.00
Total direct expenditure for 147 MLA per day in budget session 2012	384617.45
Total direct expenditure per hour (question hour) for 147 MLAs	47463.43
Total direct expenditure per hour (question hour) for one MLAs	322.88
Total direct expenditure per MLA for 29 days	75876.91
Total direct expenditure per MLA for 1 day	2616.45
Total direct expenditure per 147 MLAs for 1 hour (question hour)	47463.00
Total number of questions starred and unstarred questions raised	3613

Source: Book on compilation of Acts/rules pertaining to salary and other allowances of the speaker, deputy speaker, leader of the opposition, govt chief whip, deputy chief whip and other members of Odisha Legislative Assembly and pension of ex-member corrected up to August -2011 by Secretariat of the Odisha Legislative Assembly - 2011

Table 3.12 shows that the state had spent Rs 1.11 crore for the Assembly budget session 2012.

Key Findings 13. The state of Odisha spent Rs 3,352 per question, Rs 2,577 per MLA per day and above all Rs 1.11 crore towards direct expenses which includes remuneration and other perks for 147 MLAs for 29 days of the budget session in 2012.

1. Whereas the state had spent Rs 75,876 (seventy five thousand and eight hundred and seventy six rupees only) per each MLA for 29 days budget session of 2012, as many as 47 MLAs had not at all participated in the question hour. And among the MLAs who had

participated in the question hour, only 14 numbers of the MLAs had raised 80-200 questions.

2. The state of Odisha spent Rs 11153906 on its MLAs in the year under consideration. That means approximately Rs 11.15 crores goes towards salary and other allowances for legislators to take part in Assembly sessions. The legislators, in turn, are expected to present the needs and demands of people, actively participate in the policymaking process and moreover give the demands of the people a concrete shape and force the executive's intervention.



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Chapter-IV

CONCLUSION & RECOMMENDATIONS

The present study on "budget session 2012 of Odisha Legislative Assembly" was an effort to analyze the participation of legislators in the budget session, particularly during the question hour. In a democratic set-up legislators not only translate the preferences of the state into policy through legislation but also steer the various governance initiatives and interventions; it is incumbent on them to help formulate the right emphases and correctives in governance. Their role cannot be overemphasized. Among all the sittings of the legislature, budget session is crucial, because legislators participate intensively to thoroughly discuss the needs and priorities of people and translate them into budgetary provisions for a period one year. The study throws some sidelights on the level and, to an extent, the quality of their participation in the session vis-a-vis the cost incurred by the state in terms of money, time and resources devoted to them.

It revealed that nearly 97 per cent of the scheduled time meant for the budget session 2012 was utilized, but not much attention was given to discussing the actual needs and priorities of the state adequately. It is not only important for a legislator to be present in the Assembly session, he should also be equipped enough to raise questions. That means legislators need to have a clear understanding of the ground level issues of the people and information on a broader perspective as a whole. The analysis came across quite a few shortcomings, as was evident from the fact that during debate on the budget, agriculture did not receive its rightful emphasis.

Similarly, their perspective on the state leaves much to be desired, as there was no particular effort to take on board the neglected geographic region/s of the state. The state can take specific measures to enable members of the legislative assembly – ideally through creation of database facilities showing real-time status and states to be made available to them – to enhance their knowledge and skills in raising questions with focus on SCs, STs and women Assembly members. Constituency wise progress analysis on Key Human Development Indicators will go a long way in the debate as well as an opportunity to deal with the chronic issues of poverty and backwardness through a collective reflection.



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Chapter-V

BACKGROUND ON SOCIAL WATCH

About Social Watch International: The UN World Summit for Social Development (WSSD) was held in Copenhagen during 6-12 March 1995, which was attended by 20,000 people from 180 countries and represented by 117 government officials from all over the world. It was a turning point with regard to the relationship between government and civil society. The summit, for the first time committed to a Declaration and Action Programme covering the broad spectrum of political, economic and social measures necessary to eradicate poverty. This backdrop led to the emergence of the Social Watch process, in which Civil Society Organizations (CSOs) from the world over decided to form coalitions nationally and internationally with the goal to influence on their governments to fulfill their commitments.

Headquarters in Montevideo, Uruguay, Social Watch has association with National Social Watch Coalitions in 86 countries. Since inception the Social Watch has engaged with all major international initiatives related to the Human Rights Framework, which includes economic, social and cultural rights, labour rights, women rights, environmental rights, rights of indigenous peoples and of migrants and the right to development. Similarly the National Coalitions are engaging with their respective national commitments, as formulated in national constitutions, government plans, budgets and laws including in particular social, economic and cultural rights. Social Watch has been bringing out annual social watch reports. Each year, the report will focus on a particular theme. Each report also contains brief country

reports from 60 to 70 national coalitions. Social Watch also brings out two publications, viz. Gender Equity Index and Basic Capability Index regularly, weekly Newsletter and variety of reports and statistics occasionally. Social Watch works for strengthening national coalitions throughout the world through a variety of support services. More details can be seen at www.socialwatch.org.

About National Social Watch

National Social Watch (NSW) is the national secretariat of the National Social Watch Coalition (NSWC). The National Social Watch Coalition is a broad-based network of CSOs, citizens and communities to build a process of monitoring governance towards professed goals of social development; particularly with respect to the marginalized sections of our country. The Social Watch process intends to analyze the performance of the institutions of governance -- parliament, judiciary, policy and local self-governance through the lenses of fundamental economic and social values such as rights, development, freedom and security. The approach of Social Watch is cross-sectoral and interdisciplinary which addresses the structural causes of poverty, economic and social inequality rather than dealing with the symptoms. It aims at impacting the policy arena by holding the government accountable for the fulfillment of their national, regional and international commitments and monitoring their implementation. It also strives to alert the government to the level of policy formulation and implementation.

The major functions of NSW are: (1) Research, (2) Advocacy, and (3) Networking. Under Research, NSW conducts rigorous research with its focus on 'institutions of governance'. NSW brings out its research in the form of the annual citizen report, perspective papers, focus papers and the research briefs. Under Advocacy, apart from dissemination of

its research output, though web-posting and publication, NSW regularly organizes policy dialogues and an annual grand release function of the citizen report. Apart from national level releases, NSW also organizes state level dissemination workshops with our state partners every year. Under Networking, it makes coalition with like minded resource organizations with state partners in their respective states to promote and supports state level social watch. More details may be seen at www.socialwatchindia.net.





National Social Watch (NSW) is the national secretariat of the National Social Watch Coalition (NSWC), which is a broad based network of civil society organizations and citizens. The Social Watch process intends to analyze the performance of the institutions of governance, their commitment towards citizens, and their practice of democratic values. The major objectives of NSW are:

- a. To become a key agenda setter for the government
- b. To redefine the politics of knowledge and usher in new dynamics in the processes and quality of governance
- c. To ensure the centrality of people at various levels national, state, and village, in the processes of governance

The major functions of NSW are: (1) Research, (2) Advocacy, and (3) Networking. Under Research, NSW conducts rigorous research with major focus on 'institutions of governance'. NSW brings out its research in the form of annual citizen's reports, perspective papers, focus papers, and research briefs. Under Advocacy, apart from dissemination of its research output through web-posting and publication, NSW regularly organizes policy dialogues and an annual grand release function of the citizen's report. Apart from national level releases, NSW also organizes state level dissemination workshops in select states, every year. Under Networking, it partners with likeminded national resource organizations, promotes and supports state level social watch coalitions, and collaborates with the International Social Watch, commonly known as Social Watch. Today the NSWC has 8 national coalition partners and has state coalitions partners in 15 states viz. Gujarat, Andhra Pradesh, Tamil Nadu, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Chhattisgarh, Odisha, Bihar, Jharkhand, West Bengal, Uttar Pradesh, Himachal Pradesh, and Rajasthan. State coalitions prepare the state level social watch reports and lead the state level discourses on the issues related to governance and social development. More about NSW can be seen at www.socialwatchindia.net.

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