

## ABOUT US

**EQUATIONS** is a research, advocacy, campaigning organization charged with vision of democratizing tourism in India. We study the social, cultural, economic and environmental impact of tourism on local communities. A key area of our work is to look into the aspects of governance in tourism development.

**The Centre for Responsible Tourism** is an organisation under the coordination of Caritas Goa and the Council of Social Justice and Peace. CRT seeks to tackle the negative impacts of tourism. It's essential task is to humanize tourism. CRT has justice as its corner stone and works to protect the human rights of host communities, workers, women and children.

**The Council for Social Justice and Peace** is the social work wing of the Archdiocese of Goa that Protects, Promotes and Campaigns for Peace through restoration of Justice wherever and whenever denied. It provides Socio-Political Education to the people on their duties/rights as citizens, especially as preparation for Panchayat / Assembly / Parliament Elections. It works on various issues such as livelihood, environment, governance, tourism etc.



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# B(R)EACHED GOVERNANCE



## SUBVERTING OF LOCAL GOVERNANCE OF TOURISM IN GOA

BY EQUATIONS, CENTRE FOR RESPONSIBLE TOURISM  
& THE COUNCIL FOR SOCIAL JUSTICE AND PEACE

## LOCAL GOVERNANCE IN TOURISM

Goa is equated with tourism in popular perception. It was the advent of the hippies in the late sixties that contributed to bringing Goa on the international tourist map. Tourism is so pervasive in the State that it takes nearly everyone within its fold. Enormity of tourism in Goa can be understood from the fact that the total number of tourists visiting the State is 3.5 times of its total population. With the exponential expansion of tourism all over the State, the question of governance has become prominent. While people at the local level are affected by tourism related activities, it is not regulated by the Panchayati Raj Institutions (PRIs). It is planned, decided and implemented by the Department of Tourism (DoT), other line departments and parallel bodies constituted to augment tourism in the State of Goa.

Tourism consumes local resources, encroaches on public spaces, pollutes the local environment and commodifies the lives of the local community by invading private spaces. Therefore, local communities should have a say. It is the basic principle of democratisation of governance and decentralisation of decision making. The irony is that in practise, when it comes to decision making on tourism, it is decided, regulated and governed by the line departments and parallel bodies of the State Government. People are neither informed nor are they provided places to participate in the decision making.

EQUATIONS along with the Centre for Responsible Tourism (CRT) and the Council for Social Justice and Peace (CSJP) conducted a research study in two Panchayats - Candolim and Agonda to assess local governance in tourism. The objective of the research was to look into the role of Gram Sabhas and the other concerned departments, PRIs in tourism development and to while identify gaps in roles, functions, functionaries in tourism governance at panchayat level. Research data was collected through observations, interviews with Panchayats, Communities, Government officials and Civil Society Organisations working on Panchayat related issues. Both, Candolim and Agonda Gram Panchayats, have the history of resisting questionable tourism projects and demanding engagement on tourism related developments in the Local Panchayat.

## THE WAY AHEAD

Empower PRIs by devolving powers to them and active engagement of people in decision making through regular Gram Sabhas can keep a check on unregulated growth of tourism. Therefore,



- Empowerment of the Gram Sabha is empowerment of the people. The Gram Sabha should demand for devolution of powers to the PRIs for local regulation of tourism.
- The PRIs should demand for the necessary Amendment of the Goa PR Act, 1994 to endow Panchayats with more powers, authority, fund, functions, and functionaries.
- People to take part in the Gram Sabhas without any fear of intimidation, irrespective of their political affiliations, ensuring democratic decision making.
- The PRIs should demand necessary Amendment of the Goa PR Act to constitute the Tourism Standing Committees in Village Panchayats, which will decide on tourism development within the Panchayat limits..
- Proper coordination and cooperation between different tiers of PRIs and the different departments of the State Government needs to be augmented.
- Government should appoint the 3<sup>rd</sup> Finance Commission, pending since 2007, to recommend measures to improve the financial position of the PRIs regarding the distribution of net proceeds between the State and the PRIs with respect to taxes, duties, tolls and fees.
- The PRIs should demand from the Department of Town and Country Planning, for the role and participation of the PRIs during the formulation of the Regional Plans.
- A new TCP Act as per the provisions of 73<sup>rd</sup> & 74<sup>th</sup> Constitutional Amendment should be demanded.
- PRIs should question the vesting of the supreme authority to the Directorate of Panchayat with respect to decision making on local matters.
- Overlapping of functions and responsibilities of the Village Panchayat, Zilla Panchayat, Department of Rural Development and Public Work Department needs to be sorted out and specific allocations made.
- Government needs to stop the practice of non-devolution of powers to the PRIs under the pretext of non-availability of expertise and efficiency. Government needs to take the required steps to build-up the expertise and efficiency of the members of the PRIs.

## STATUS OF PANCHAYATI RAJ INSTITUTIONS

Status of PRIs in Goa is not very promising when it comes to tourism governance. Tourism hardly gets captured in the debate on local governance due to two main reasons; Firstly, the community is not aware of their power in this domain; Secondly, unwillingness of State Government to share information and devolve the decision making powers with respect to tourism.

### The observations of PRIs in Goa have been listed below:

- Lack of political will of the State Government to strengthen PRIs by devolving funds, functions and functionaries to the local bodies, by making necessary Amendments to the existing 'Goa Panchayat Raj Act 1994' to bring tourism within the ambit of local governance.
- Most of the projects are planned at the state level and people at local level are not consulted for their views on planning of their region.
- Most of the functions of the Panchayats are being performed by the Government departments in absence of clear jurisdictions thereby undermining the Constitutional mandate of PRIs.
- PRIs, as an institution of local self governance, has often not asserted their rights to obtain information, participate and decide on local developments.

### At the level of the PRIs, the voices captured from Candolim and Agonda are:

- People do not participate in Gram Sabhas. This amounts to less than 1% attend of the total population of Candolim and Agonda.
- Division of Panchayats on party lines, the growing instances of people being harassed by the Panchayat for raising objections, vote bank politics being played within the Panchayat, gradual fall in accountability of the Panchayat towards the local community, has resulted in less participation at the Gram Sabhas.
- Lack of information dissemination about the Gram Sabha meeting. Information about holding of Gram Sabhas is not communicated properly
- Corruption and fear of threat has resulted in fewer women participating in the Panchayat meetings and standing for election in spite of reservation in PRIs.
- Local youth voiced loss of faith in the system. Youth look down on Panchayat as a corrupt body populated with self-interested people and hence refuse to participate.
- Lack of awareness about the committees like Social Justice Committee that are provided for in the Goa Panchayati Raj Act. These committees are non-existent or has a single member.
- Lack of coordination between the tiers of the PRIs – village and district –in terms of cohesive demand for more information sharing, participation and decision making on tourism related developments.



## What Right does Constitution of India give US?

The Constitution of India through the 73<sup>rd</sup> Constitutional Amendment mandates local self governance. Following are some of the provisions of this Amendment, which applies to all the PRIs in the country:

- Gram Sabha to make local plans and decide on development works to be undertaken by panchayat based on the need and priority of people.
- The Amendment devolves powers to the PRIs in relation to 29 subjects, these include infrastructure, agriculture, fisheries, land, cultural activities, social forestry, small scale industries, markets, women and child development, maintenance of community assets, social and farm forestry
- Tourism is not directly mentioned. But tourism has linkages to subjects like infrastructure, land, cultural activities, small scale industries, markets, women and child development and maintenance of community assets.
- Authority of panchayat to levy, collect and appropriate taxes, duties, tolls and fees.
- Transfer of taxes, duties, tolls and fees collected by the States to panchayats for local development.



## CHALLENGES FACED BY THE PANCHAYATS

Panchayats face many challenges linked to tourism governance. Some of the institutional challenges that Panchayats face at large are non- devolution of adequate powers, non-formation and non- functioning of Committees, lack of participation at Gram Sabhas, refusing to share information with the PRIs and absence of information in the public domain. Dominance of departments often results in undermining the authority of the PRIs, especially the Gram Sabha. The most common excuse given by the departments is that the members of the PRIs lack the required technical expertise and therefore are not capable to participate and contribute in the process of decision making and implementation of development programmes.

### Impacts of Tourism on Local Governance Structures

- **The traditional local governance institutions such as Comunidade have become defunct bodies, despite their legal standing.**
- **The public commons are being acquired by the Government for various projects under the guise of “Public Purpose” and distributed to private entities for running businesses, including establishing large hotels, resorts and entertainment parks.**
- **PRIs are not included or consulted in the tourism decision making.**

## CHALLENGES OF TOURISM GOVERNANCE

The local communities are facing challenges due to unregulated and unplanned growth of tourism. Expansion of tourism has led to displacement of local people, predominantly fishermen, farmers and toddy tappers, acquisition of public commons, limiting the access to community resources which has negatively impacted all, but most severely the marginalised communities, who's lives and livelihoods are directly dependent on these natural resources. Tourism has also led to severe environmental degradation due to rampant violations of Coastal Regulation Zone Notification (CRZ) by unplanned expansion of infrastructure, construction of tourism facilities, degradation of beach due to over use and improper waste management, destruction of local flora and fauna and dwindling fish catch. Infrastructure propelled by unregulated growth of tourism and related land acquisition by the State Government has severely impacted public commons, including land of the Comunidades. Under the “public purpose” clause, land has been given away to private parties for construction of large hotels and resorts, which is a violation of the Law. Shrinking public spaces is another major challenge faced by the local communities. Lack of proper coordination between the government departments, parallel bodies and the PRIs have further constrained the functioning of local self governance in tourism.

Challenges of tourism governance is not only posed by the state agencies but also by the local people themselves. For instance, ideally, local people should file for “No Objection Certificates” (NOC) before the Panchayat and receive their nod before setting up any business operations within the local Panchayat limits. The concerned department should step in later. With the NOC granted by the Panchayat, people should apply to the concerned department for other necessary formalities. In reality however, it is the other way round that is practised by all. People approach the local Panchayat at the end, just to inform them, claiming that they have got all the technical clearances from the respective departments and Panchayat is bound to give NOC.