



Panchayati Raj System: Issues And Challenges In Jammu And Kashmir In Current Scenario.

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Abstract: Panchayati Raj system is one of the unique step of the decentralization process from union govt. to the local government. Panchayat Raj system opens a door to create opportunity of Full democracy, local level development process, a conscious towards political culture, awareness of rights, local participation in decision process and creation of self dependence in India, local self governance has a primitive history initiated from British era as it's foundation was laid by Lord Ripon(Father of local governance) in 1882. The father of nation the great Mahatma Gandhi laid emphasis on development of villages which in turn will support the development of the whole nation. Their term gram Swaraj (village self government) now has become the basic foundation of the PR system in India. Panchayati Raj plays an important role at grass-root level in Indian democracy. In Jammu and Kashmir Panchayati Raj was enacted in Act of 1989 before four years of Panchayati Raj Amendment Act of 73rd of Indian union in 1993. Under this Act the first Panchayat election was held after a gap of 12 years in 2001 was not successful due to armed conflict. The 2011 Panchayat election held in J&K was successful compared to the last. Panchayat elections. The 2018 Panchayat election held in J&K was not satisfactory because of less participation on the part of candidates as well as voters.

KEYWORDS : Historical background of PRI in J&K, Various Acts of PRI, Issues and Challenges Panchayati Raj System in J&K.

Introduction : Democracy is that form of government that gives equal opportunity to both men and women. Equal rights and equal opportunity have been given to both men and women. However, today's society does not fit in this definition. In our day-to-day lives, we see that no such conditions prevail in which both men and women can actively participate in the system whether economic, political or anything else. Panchayati Raj has been seen in Indian history as an age-old phenomenon. In India Panchayat or village councils have existed over the centuries. Although there is a great difference between the traditional Panchayat and modern ones, the former being informal bodies of village elders from overriding castes and families. The issues of law and order problems and the general welfare of the people were dealt with by these informal bodies. Ara Y (2017). People in the villages of India have always managed to solve their problems and settle disputes through village councils or panchayats. The word 'panchayat' designated the decisions of the 'panches' or the five elderly, learned, and wise men. The public and political domain were tabooed for women and their presence and participation in the local bodies of governance, whether village panchayats or tribal councils remained negligible. However, with the coming of statutory panchayats, the representation of women in

politics became almost inevitable. With the second wave of feminism in the 1970s, the women's movement centered on the issues of justice and equality that challenged women's long - time marginalization and exclusion from decision - making institutions. The statutory panchayats, the seeds for which were sown during the British rule, were made more systematic and representative (one or two women could be nominated) after the independence of India (1947) and the adoption of the Indian Constitution (1950). The Panchayati Raj system was introduced subsequently (1959) with development programmes in the rural areas. However, after independence major changes were brought in local self-governance. Various committees like Balwant rai Mehta committee, Ashoka Mehta committee, L.M. Singhvi committee were created for giving the Panchayat Raj Institutions a constitutional status. It was only during P.V. Narsimha Rao's prime ministership that the historical 73rd and 74th amendments were passed by the Indian parliament on 22 Dec 1992. While the 73rd amendment dealt with Panchayat Raj Institutions in rural India, the 74th amendment was concerned with urban governance. The 73rd constitutional Amendment Act (1992) mandates provisions for establishment of three-tier structure with the establishment of Gram Sabha at village level, Panchayat Samiti at intermediate level and Zilla parishad at district level. Regular elections to Panchayat every five years are to be conducted with proportionate seats reserved for scheduled castes and scheduled tribes. Reservation shall not be less than 1/3 seats for women. A state finance commission is to be constituted to recommend measures to improve the finances of Panchayat. MLA's, MLC's at the intermediate and district level Panchayat Raj institutions with full voting rights. Ara Y(2017). For many years the representation of women in political institutions remained marginal in India. In the Lok Sabha and State Legislative Assemblies, it did not cross the ten percent mark for a long time (Chauhan, 1998). However, this percentage increased to 12.5% in the last Lok Sabha (sixteenth) and 14.4 % in the present (seventeenth) Lok Sabha which is significant, though not sufficient achievement. The representation of women in the decision - making bodies of Jammu and Kashmir (J&K) from the top to the grassroots level remained very low. Regarding the parliamentary national elections, all the 6 seats in the Lok Sabha and 4 in the Rajya Sabha in the Parliament from Jammu and Kashmir have been occupied by men (Shekhawat and Chowdhary, 2004). In Panchayati Raj institutions (PRIs), the representation of women was highly skewed till the enactment of the Panchayati Raj Act (1992), introduced as the 73rd Amendment to the Constitution of India ensuring 33 percent reservation of seats for women. Clause (3) of Article 243 (D) mandated not less than one - third reservation for women out of the total number of seats of Panches and Sarpanches to be filled by direct election. There was also a provision for giving representation to marginal sections like the Scheduled Castes (SCs) and Scheduled Tribes (STs) and women belonging to these categories. The state governments in compliance with the Central Act made the necessary amendments in their State Panchayat Acts and elections were held subsequently in accordance with these. In these elections, about 3.4 million representatives were elected throughout India in the local governing bodies including for the first time, 8 lakh women (Chauhan, 1998). This feat was considered quite revolutionary considering many apprehensions, and uncertainties were expressed about the availability of such a large number of women in the rural areas, and about their being able to participate and perform in the local political bodies. Several forms of backlashes from accusing them of neglecting home, to character assassination, and to disqualifying women under the rules like 'no - confidence motion' were expressed. Despite these, women's representation increased and performance improved over the years. Later on, as many as 20 states made provision of 50 percent reservation for women in Panchayati Raj Institutions. As of today, there are approximately 13.45 lakh elected women representatives in Panchayati Raj Institutions constituting 46.14% of the total elected representatives (Sinha, 2018). The main purposes of Panchayat elections are to bring power from secretariat to the Grass root level. The central government cannot reach to the far-flung areas so the Panchayats are created to deal with their issues. Article 243 G and the Eleventh Schedule of the Indian Constitution lay down that states must endow Panchayats with such powers and authority, which will enable them to function as institutions of Self Government. Although both Article 243G

and the Eleventh Schedule do not apply to J&K, still they are relevant in the context of the local self-governance reforms agenda being pursued at the national level. Panchayat raj is a system of governance in which a gram (village) Panchayat is the basic unit of administration. It has three levels:a) Village b)Block c) District.Ara Y(2017).

Historical Background Panchayat in Jammu and Kashmir:

The Panchayat Raj in Jammu and Kashmir is an original concept. When the rest of the country went through a mixture of phases of Panchayat raj during British rule, the Jammu and Kashmir state witnessed its first Village Panchayat Regulation Act in 1935 (Mathew 2013). Therefore, the Maharaja Hara Singh, the ruler of the princely state of Jammu and Kashmir, planted the sapling of Panchayati Raj in 1935. The preamble of the 1935 Panchayati Act. "Whereas it is expedient to establish in Jammu and Kashmir State the village panchayats to assist in the administration and civil and criminal justice and also to manage the situation and other common concerns of the village." However, the Panchayat Regulation Act of 1935 was selective. It was tough for the state's common man to fill up the criteria for contesting the election under this Village Panchayat Act 1935. The requirements for election were such that only the privileged class can fulfill them at that time. The second thing, which is well defined from the Preamble of that Act, is it was a part to support the administration in civil and criminal justice and not for the empowerment of local grassroots democracy. A total of 58 provisions of this act 47 dealt with judicial functions. The other Panchayat activities have mainly associated supervision functions like supervision of schools, village officials and labor, public lands, and buildings (Baba 2002).

PANCHAYAT INSTITUTIONS IN JAMMU AND KASHMIR AFTER 1947

The Sheikh Abdullah Government implemented the provisions of the Naya Kashmir plan. In the document of the Naya Kashmir plan, it was mentioned in article 17 of the Plan that steps would be taken for the institutionalization of Panchayati Raj in the state. Thus under that provision Panchayat act of 1941 was replaced by the 1951 panchayat Act. The new Government in the State too started new reforms among all reforms. The landmark reform was the enforcement of the significant landed estate's abolition act in 1950 because of this courageous step. It was a 2.32 lakh acre of land the cultivating peasants (Baba 2002).

PANCHAYAT ACT OF 1951

"The beginning of the universal adult franchise principle was the most noteworthy characteristic of the 1951 Act. Nevertheless, all the Panchayat members were not to be elected; there was the condition of nominations as well. The Panchayat officer had the power to nominate some members in each Panchayat. The act introduced the notions of 'Halqa Panchayat' and the Panchayat Board. Halqa Panchayat was the new constituent Panchayat unit which comprised of 5-7 villages. The Panchayat Board was established at each level and was entrusted with judicial and development functions"(Rekha 2012). For the execution and monitoring of these Panchayats in the state, responsibility was assigned to the state's rural development. The respective department had the power to supersede the Panchayats.6 'By March 1951, 540 Panchayats were established. By March 1954 this figure has risen to 751, covering 4,774 villages.'(ibid, 2012). Under the influence of the Balwant Rai committee, two-tier Panchayat Raj was introduced in the State with Gram Panchayat at the village level and block Panchayat board at the block level. The whole Panchayat system was in was controlled by the state

THE REVIVAL OF SHEIKH MOHD ABDULLAH IN 1976:-

Till 1976 the process of democratic decentralization remains the prey of the unstable political environment of the state. Once Again, Sheikh Mohammad Abdullah comes into power as a chief Minister after the Delhi accord between the state and Congress government of Delhi under Indra Gandhi's leadership. During this period, Sheikh Mohd Abdullah introduced the single line administration development-planning model in the

state. Under which a district was empowered to frame the developmental plan for the respective district. The fundamental rationale behind this move was to decentralize the administration and build up a participatory base at the district level (Baba 2002). Under this new system of planning, boards were constituted in every district of the state, and they have to assign powers to formulate and supervision the district plans. However, during the Seventh Five-Year Plan, the further step was taken to decentralize the planning to block-level (Rekha 2012). It was the period when Panchayati Raj was discussed in other states of the country which results in the state government also took some steps in this direction and the bill regarding the Panchayat Raj introduced in the State Assembly even some ministers of the state Government visited other states to see the working of Panchayat Raj (Baba 2002).

.JAMMU AND KASHMIR PANCHAYAT ACT 1988.

The state Assembly enacted the new legislation and passed it in March 1989 for the first time in Panchayats' history. The state's three-tier institutions at the Halqa, Block, and District levels were to be introduced by this Act (Rekha 2012). It was considered a drastic step towards the development of the local democracy of the state (Rekha 2012). The preamble of the Act as 'An instrument of vigorous local self-government to secure the effective participation of the people in the decision-making process and for overseeing the implementation programmes'. of development.

Panchayat Raj act in Jammu and Kashmir 1989.

This act was introduced in the J&k assembly in April 1988 and was passed in march 1989. Later consented by the governor in 1989 itself. According to this act the concept was to make a Halqa Panchayat comprising of not less than 7 and not more than 11 Panches including the Sarpanch. The Panches might be elected from the delimited constituencies by the prescribed authorities and Naib Sarpanch be elected by the Panches of the panchayats and sarpanch directly by the electorate of the Halqa Panchayat and 5 years was the duration kept for the Halqa Panchayat which if gets dissolved on any reason before this period elections will be held in within 6 months and 2/3rd of the total panches could remove a Naib Sarpanch by a vote of no confidence. This act also provided to form panchayat Adalats. This act provided a three-tier model of panchayat which are-

- 1)HALQA PANCHAYAT.
- 2) BLOCK DEVELOPMENT COUNCIL.
- 3) DISTRICT PLANNING AND DEVELOPMENT BOARD.

The main aim of this act was to make local govt strong with active participation of the people. While enacting this panchayati Raj Act of 1989 uncontrollable discord and disharmony started in the valley. This was the period from which maximum people lost faith in the electoral process and the germs of militancy started emerging .The political parties and the leaders were not free in the valley and so the Assembly was dissolved and Governor rule was imposed in 1996. Fresh elections took place in 1996 and NC came to power which made the rules on the Panchayati Raj in the state. These rules are called Panchayati Raj Rules of 1996 and the govt issued an order in 1997 by virtue of which 2700 Panchayat Halqas were made, 1470 in Kashmir and 1230 in Jammu Division.

PANCHAYAT Election OF 2001:

The Panchayat elections of 2001 were conducted according to the provisions of the Panchayat Raj act 1989. The Hurriyat leaders issued the boycott call the poll was conducted under the supervision of a chief electoral officer The government decided to provide a 33% reservation for women in the Panchayat Raj institutions by amending the Panchayat Raj act 1989. The State Government also announced its determination to do away with nominations to grassroots-level democratic institutions (Mathew 2013). In 2004 the state Government Amended the Panchayat Raj rules 1996 by adding the following at the end of the Sub-rule (1) of Rule 4

PANCHAYAT Election OF 2011:

After 2001 the Panchayat election was halted in 2011 after a break of ten years instead of mandatory five years (Mathew 2013). The state government shows the gravity in conducting the elections in the state. The polls were held peacefully even boycott calls issued by the separatists and the massive turnout was recorded 79%, mostly the youth of the Valley participated in the election. The percentage of votes polled by the electors in the various districts in the Valley are 63.45 Percent in Srinagar, 79.43 in Budgam, 73.74 percent in Anantnag, 79.29 Percent in Ganderbal, 53.95 Percent in Pulwama, 77.17 Percent in Kulgam, 65.99 Percent in Shopian, 67.39 Percent in Baramulla, 86.03 in Kupwara, and 79.10 in Bandipora (Chief Electoral officer Jammu and Kashmir 2011). 5 years term of the elected representatives of 2011 was completed in July 2016 and the panchayats were dissolved. It was mandatory in the light of section-9 of j&K Panchayat Raj Act 1989 that the fresh elections could be conducted within six months and this process was needed to be finished before July 2016 or by January 2017. But unluckily there were protests and uprisings in every nook and corner of Kashmir during the full summer period of 2016. The govt remained in tug of war with people and panchayats elections were not possible. The govt could not even conduct the by-elections for lok sabha seat for Anantnag. However, despite delay, the panchayat elections were conducted in 2018 in 9-phases. 4490 Halqas panchayats comprising 58, 12,429 voters were eligible to vote for electing 4490 Sarpanches and 35,096 Panches Elections were held on non-party basis NC and PDP boycotted on the grounds of abrogation of Article 370 and Article 35 A The Hurriyat Conference also forbade the people not to contest the polls instead have a strike on the polling day. The Militants also denounced the people for participating in the election as candidate or voter. This way the elections were considered a futile exercise in Kashmir till the restoration of democracy. A pledge was made by the central govt under 14th finance commission (2015-20) that a big flow of funds under various centrally sponsored schemes is year marked for the development of erstwhile state. The Governor gave wide publicity in print and electronic media to take benefit of the flow of funds and so the election witnessed a positive response from Jammu and Ladakh regions wherein 80% people participated in the elections but 60% of seats remained vacant in Kashmir because nobody turned up to file his/her nomination paper. The central govt claimed that 74% voters took part in the village council polls but this proved wrong after analysis of the voting data which revealed only 30% of Panchayat Halqas in Kashmir had seen polling. The central govt abrogated Article 370 and 35A in August 2019 without any knowledge of the Kashmir people which proved fatal demolishing the aspirations of the public of Kashmir. This drastic action taken by the government compelled the people to dislike the system of governance in a so-called democratic set up. However under these repressive state of affairs elections of the BDC were held in the first stage. The results of the polls were astonishing as 217 independent candidates won out of 307 blocks and BJP took 81 seats. Recently elections were held in December 2020 for the DDC council being third-tier in the Panchayati Raj System. No doubt Kashmiri parties took part in these elections but allegations were leveled against the govt of UT that the security was denied to the candidates other than BJP due to which many candidates from Gupkar Alliance refused to take part in elections. Though the Modi government proclaimed that the panchayat elections is an example of democracy, nothing satisfactory is seen on the ground. The elected members are not free to visit their areas where they are seen down upon and moreover they have no security cover as well. In nutshell these elected candidates have become the targets of the people. An overview of the DDC election held in UT of J&K between 28 November to 19 December shows that a total of 1475 candidates took part in the franchise. There were 280 DDC seats, 296 women candidates were also in the polls which were conducted through Ballot papers barring the use of EVM'S, the result were declared on 22 December 2020.

Review of literature and Research gap. The history of Panchayati Raj in the state of Jammu and Kashmir can be traced back to the promulgation of Jammu and Kashmir Panchayat Regulation Number 1 by Maharaja Hari Singh in 1935 A. D. This regulation is popularly known as Panchayati Raj Act 1935. The Preamble of this Act stated that it is important to establish village panchayats in Jammu and Kashmir to assist in the administration of civil and criminal justice and also to manage the sanitation and other concerns of the villages. Under the 1935 Act, most of the functions of panchayat were judicial with only a few nonjudicial ones. In 1936, the Department of Panchayati Raj and Rural Development was established to administer the 1935 Regulation. The main function of this department was to supervise the functioning of the panchayats apart from providing necessary funds to them. It was under this department that the Village Reform Committee was organized to advise panchayats. The Act was amended in 1941 to widen the function of panchayat with some minor modifications which could now levy taxes and tolls, generate resources for the development of the village, and delegate power in non - judicial areas. The Act of 1935 as amended in 1941 was replaced in 1951 by Act V in the post - 1947 scenario when the National Conference (NC) assumed power in J&K and committed itself to the programme of rural reconstruction, development, and democratic decentralization. According to The political stability in the state after the Indira - Abdullah Accord of 1975 and the formation of the government after the elections marked the revival of the democratic process in the state. The government introduced an innovative development administration model known as 'Single Line Administration' in 1976. Accordingly, the planning in the state was decentralized with the constitution of the District Planning Unit. The Boards were given the power to formulate long - term and short - term plans and oversee their implementation. However, despite the state being the first few states in the country to introduce decentralized planning at the district and block level, not considerable attention was given to re - activate the Panchayati Raj system. But as Panchayati Raj was gaining momentum in other parts of the country, the state developed an interest in this direction. Towards the latter part of the 1980s, as a sequel to the efforts to revive the process of democracy at the grassroots level, the state government repealed the Jammu and Kashmir Valley Panchayat Act, 1958, and replaced it with the Jammu and Kashmir Panchayati Raj Act 1989. This Act was described as a radical step as it aimed at promoting and developing the Panchayati Raj system in the state as an instrument of local self - government. At the outset, it states that the Panchayati Raj in the state would be 'an instrument of vigorous local self - government to secure the effective participation of the people in the decision - making process and for overseeing the implementation of development programmes' (Baba, 2002: 54). The salient features of the Act were that it reduced the voting age from 21 to 18 years, provided for holding of elections within six months of suspension of a panchayat, provided for direct elections of the Panches and Sarpanches, made provision for the constitution of Panchayat Adalat (Court) and three - tier Panchayati Raj system with powers to Halqa panchayat (gram panchayat) to prepare and implement schemes for rural development (Ibid.). The full involvement of the people was proposed to be secured through direct election of the Panches (Members) and Sarpanchs (Chairpersons) and that of the Chairperson of the bodies at the local level, to be called the Block Development Councils. For the effective participation of the rural population in the development programmes and self - governance, the Act had provided a three - tier system of Panchayati Raj system. These tiers were the Halqa Panchayat, the Block Development Council, and the District Planning and Development Board. Thus, the basic structure of the Panchayati Raj in the state of Jammu and Kashmir was made almost similar to the other states of India. The Halqa panchayats have a wide - ranging function related to all aspects of rural life and for the overall development of the villages. If the prescribed authority found that women or Scheduled Castes (SCs) or Scheduled Tribes (STs) or any other sections were not represented in the Halqa panchayats, it could nominate not more than two persons from such sections. An Amendment to the 1989 Act regarding reservations for women was made by the State legislature in April 1997. This Amendment provided for the nomination of women to Halqa panchayats if they were not adequately represented in them with the rider that their total representation should not exceed

33 percent of the total number of Panches. Similarly, in the Block Development Councils if the prescribed authority were of the opinion that the categories of women, SCs, or any other weaker sections were not represented it could nominate not more than two members to the Councils (ISS, 2004: 36 - 37). However, there were many flaws in the J&K Panchayati Raj Act 1989 with enough scope for improvement. Unlike the 73rd Amendment of the Constitution of India, which provides that persons chosen by the direct election shall fill all the seats in the Panchayat, the J&K Panchayat Act 1989 provided for nomination at every level (Chowdhary, 2001). It is only at the Halqa panchayat level, that the principle of direct elections was applied, at the two other levels the members were not directly elected by the people. In this sense, one can say that instead of three, there was only a one - tier system of Panchayati Raj in J&K. Then, there was no machinery for allocation of funds directly to panchayats. In the Panchayat elections held in 2001 after 1978, there was no reservation of seats for women. In the year 2003 on 17th December, Jammu and Kashmir Panchayati Raj (Second Amendment) Bill was passed in the State Assembly. By this Act, which came into force in 2004, the sub - section (3) of Section 4 of the Jammu and Kashmir Panchayati Raj Act 1989 was amended to provide not less than one - third reservation to women, and to SCs, and STs in proportion to their population at the Halqa Panchayat level. These reservations were in place of the existing provision related to the nomination of these categories to the panchayats (ISS 2004: 39). Further amendments were made in the Jammu and Kashmir Panchayati Raj Act, 1989 in the years 2006, 2011, 2014, 2016, and 2018. The state government added many features through these Amendments to make the Panchayati Raj in J&K more democratic and systematic. These included reservation for women and other backward classes for the seats of Sarpanches, provision of Panchayati Adalat (Court), provision of Ward and Halqa Majlis (Gram Sabha), the constitution of the State Election Commission, and State Finance Commission. The Panchayati Raj (Amendment) Act 1989, No. VI of 2014 provided for reservation of not less than one - third of seats of the Chairperson of Halqa Panchayats to women to be filled in by the direct elections (Govt. of J&K, Panchayati Raj Act 1989, Amended up to 2018). The Government of Jammu and Kashmir further approved the devolution of powers and functions to the panchayats related to fourteen departments, including the sectors of health, education, and agriculture as specified in Annexure 1 to XIV under the Cabinet Decisions No.40/3/2011 (dated 09 - 02 - 2011), and No.170/21/2011 (dated 21.09.2011), and Government Order No: 1126 - GAD of 2011 (dated 22 - 09 - 2011) (Lone, 2019; Ganie and Shukla, 2019).

Challenges and issues of Jammu and Kashmir Panchayat Raj System. Threat from Militancy and Boycott of Separatists : The challenges of Jammu and Kashmir Panchayati Raj system are much more as compared to other Indian states Panchayati Raj system. The Jammu and Kashmir state is presently suffering from Militancy problem which is a major challenge to the Panchayati Raj system from the implementation of J&K Panchayati Raj act 1989. The 2011 Panchayat election was very different from the 2001 Panchayat regarding the masses' participation as the number of electors rises from 1859311 in 2001 to 2519024 in 2011 (chief electoral officer Jammu and Kashmir). Women's involvement was seen primarily from the Kashmir Valley as 9424 women Panches were selected from the state. Lack of reservation of women sarpanches saw only 28 women sarpanches elected out of 4130 posts in the 22 districts. .

1. Less participation in Panchayati Raj and assembly election: Democracy literally means "rule of the people" when the huge population participates in election then they create a good government. In J&K people political participation in Panchayati Raj election is very low.

2. Lack of awareness: The situation of Jammu and Kashmir is not in good condition for the majority of the population who have participated in any state election. Undemocratic organization and separatist leader always try to fare away the huge population of state from any state election. That is why the mass population of Jammu and Kashmir is unaware towards any election. Some other obstacles which are elements to mobilize people toward election are not properly working like lack of education, a weak economy, backwardness, less

political socialization, lack of social media, terror threat and less welfare system etc.

3. Lack of funds: The lack of funding in the panchayat Raj system of J&K is a great challenge.

4. Administrative and state control on functions and power of Panchayat Raj institution. In J&K Panchayati Raj system mostly the power of Panchayat is governed by the state government and administrative body. All functions of Panchayat development is done at village level and the payment system is controlled by administrative employees which creates a great barrier between workers and village level development works. It has been observed many times that the pending system of worker payment through the administrative body is continuously till now. The relation between the Panchayat Raj system and state government is also not good even though the act 1989 provides three tier systems but the state government has failed to implement it.

5. Corruption in Panchayat: Corruption in the Panchayati Raj system of Jammu and Kashmir is a great issue, as it's seen in every administrative department of Panchayat. In this contemporary period Panchayati Raj system of Jammu and Kashmir is facing the main issue of corruption. It has been analyzed at many Halqa Panchayat and administrative level in J&K Panchayat System. If the worker finished their work in January they will get their pay next year because of corruption is not ending (Example) if any poor person wants to make his through (IAY) scheme he would be able to get only half pay and other half will go in corruption.

6. Delay in Panchayati Raj election: Jammu and Kashmir Panchayati Raj act (1989) provides a proper constitutional status to Panchayati Raj system and it is clearly mentioned that the election of Panchayat will be held after every five years but still election of Panchayat Raj system are not held in time.

7. Lack of security to elected member of Panchayat: Elected members of Panchayat always remain worried about their life because the situation of state is very weak, many Panch and Sarpanch were killed by militants in different parts of state. To save their life all elected members demand the state government for security protection but the government failed to provide security to elected members of Panchayat. Due to these unfavorable conditions many Panch and Sarpanch resigned.

8. illiterate Panchs and Sarpanchs : Another issue for Panchayat Raj system that illiterate Panchs and Sarpanchs, They cannot represent their Panchayat body properly, neither they know talking with higher authority nor they can demand any Panchayat level scheme for village development due to the lack of education and knowledge it has been observed that illiterate Sarpanchs put their seal in any page if people demand without knowing.

9. Poor infrastructure of Panchayat Raj system: Infrastructure is another issue of Jammu and Kashmir Panchayat Raj system. There is no Panchayati building in the village. If somewhere is available then the staff of Panchayat is not available there.

10. Lack of women participation: The women do not fully participate in panchayat elections on account of family restrictions.

Research Questions : Following the objectives of this Paper are as under

1. To know the concept of Panchayati Raj System.
2. To know the various acts of Panchayati Raj System in J&K.
3. To identify the various issues and Challenges of the Panchayati Raj System in J&K.

Research Methodology: Aims of this study to analyze the issues and Challenges of Panchayati Raj System in J&K. The study is descriptive and analytical in nature. The data used in this paper has been taken from purely secondary sources as per the requirement of this study. Secondary data which is collected from various reports of national and international agencies, various authentic websites, books, journal research articles, internet source and e-content related to PRI.

Suggestions To Build A Sound Panahayati Raj System In Jammu And Kashmir

A few significant recommendations and reforms are necessary for the Panchayati Raj system in Jammu and Kashmir to evolve in a methodical manner. These recommendations and reforms will gradually lessen the impact of the problems and difficulties the region has previously discussed.

Panchayat raj system if implemented properly.

Jammu and Kashmir should adopt the Indian Constitution's 73rd Amendment in the same way as other Indian states. Elections need to be conducted on schedule. The plan, developed by members of the Panchayat as representatives, need to be executed without any modifications. At least a middle pass should be the minimum qualifying criteria for Panchs and Sarpanchs. New programs, policies, and cultural initiatives that support the Panchayat system and increase public interest should be implemented at the local level. Populations living in hilly and topographic regions, as well as tribes, need have different regulations. Elected Panchayat members need to have the majority of the Panchayat's authority. Every Panchayat must have a distinct Panchayati house and personnel on hand. Every Panchayat should have its own Panchayati fund account, and Panchayat funds should be readily accessible in the Sarpanch's bank account. Every member who makes a claim should be given security. IV.

CONCLUSION

To conclude there are various other challenges before Panchayati Raj in J&K viz; mismanagement in the Panchayati system, political influence, corruption, lack of motivation, inappropriate use of funds, lack of responsiveness, lack of transparency, lack of skills and man power, lack of infrastructure, and lack of proper guideline. Panchayat system neither develops nor properly works because of these challenges .

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