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EMPOWERMENT OF WOMEN THROUGH PANCHAYATI RAJ SYSTEM IN JAMMU AND KASHMIR

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Abstract: Panchayati Raj has always been considered a means of good governance, which is close to rural people. It has played a vital role in the socio-political development of the rural section of society and the nation. In Jammu and Kashmir, its initiative was taken in 1935, by Maharaja Hari Singh. Over time, new features were added to it to make it a self-sufficient body. The present study is an effort to see it, from the perspective of women's empowerment. The data collected for this purpose is based on Acts, orders, recommendations, reports of committees, newspapers, government documents and research papers, etc. The state government has taken measures for the reservation of women and other backward classes. But other things need attention, such as women's security, prevailing conditions need normalcy, qualification needs a check, representatives need training, etc. However, the local self-government in Jammu and Kashmir provides a stage for rural women to present themselves and take an active part in the developmental programs of the state. For women to become aware of their rights, roles, and structures of government organs, and become competent personalities to take decisive decisions for implementing their innovative ideas.

Keywords: Women Empowerment, Local Self-government, Representative, Rights, Recognition.

Introduction:

People by nature tend to work together. This tendency urged them to create groups, communities and states to protect their self-interests. So, human beings feel proud of working together and solving their problems. This opportunity is provided to them through decentralization. Panchayati Raj is the closest body of governance to rural people. The initiative of the Panchayati Raj was taken by Maharaja Hari Singh in 1935. Though Panchayati Raj was established, it was not democratic in its nature and spirit. Therefore, it did not achieve the desired ends of decentralization but worked as an extended arm of government for Judicial and administrative functions. Women constitute half of the state's population '59600640' but suffered a lot of difficulties (caste, sex, language, religion, etc.) to achieve equal status. With the help of media, government and non-government organizations, women empowerment movements, and government initiatives, a reform was brought in the society to recognize them and allow them to take part in the socio-political process of the state. Panchayati Raj in Jammu and Kashmir provides an opportunity for rural women to get a stand and represent themselves. But the opportunity was not utilized by women as neither reservation was provided to them nor conditions were favourable to them and Panchayati Raj was mainly dominated by men in its initial and middle stages. In 2003, the Jammu and Kashmir Panchayati Raj (Second Amendment Act) was solely

passed to strengthen the representation of women and scheduled castes/scheduled tribes in the functioning of local bodies. In 2011, Panchayati Raj elections were held after a gap of 10 years. This election was held in 16 phases, starting from April 13 to June 18 for the election of 4130 Sarpanches (2164 in Kashmir and 1966 in Jammu) and 29,719 panches (15,959 in Kashmir and 13,760 in Jammu). This election is considered a landmark in the history of the local self-government of Jammu and Kashmir. Firstly, the reservation was provided to women and scheduled castes and scheduled tribes due to which 33.3 percent of elected panches were women. Secondly, 28 women could manage to get Sarpanch seats without any reservation. Thirdly, women took an active part in the selection process. Fourthly, the voter percentage rose to 79 percent. Fifthly, the media took an active part in mobilizing the people for participation. Over time, a lot of fluctuation came in the functioning and structure of Panchayati Raj as many panches and Sarpanches from the Kashmir division resigned from posts due to the turmoil in the Kashmir division. However, many developmental functions were completed during the five years. After the end of a fixed period, a new election had to be conducted in 2016, but due to the prevailing condition, it was not possible. On 12/26/2017, the decision to commence the Panchayati election from February 15, 2018, was conveyed by Chief Minister Mehbooba Mufti to Governor NN Vohra. On February 4, 2018, a party meeting was held to convince all the political parties for this election. However, all parties other than the ruling one argued that the conditions for election are not favourable. On February 17, 2018, Home Ministry issued a notice that the Jammu and Kashmir Panchayati Raj elections have been called off due to the security situations. How long, we have to wait for the Panchayati elections is an unanswerable question.

Empowerment of Women through Panchayati Raj Institutions in Jammu and Kashmir:

Man is a social animal. People cooperate to achieve their desired ends. They create groups, communities, etc. for this purpose but their authority did not remain under their domain, as it went up in the form of centralization. Over time, it was found that positive development was not possible without the participation of people. So, the concept of decentralization was supported all over the world. In India, a major step was taken in 1992 under the Amendment of 73rd. But the Jammu and Kashmir State occupies a special status under Article 370 due to which it was not directly applicable. The desire for decentralization was indicated by the National Conference party under its 'Naya Kashmir Manifesto'. Article 17 states that the political power shall be equally distributed among the regions of the state and would be further decentralized at lower levels like districts, blocks, and Panchayat's. In 1935, the Jammu and Kashmir Village Panchayat Regulation No.1 was introduced. Although Panchayat's were established in the state, they did not achieve the desired ends as their nature was not democratic. In 1941, the Act of 1935 was amended and a large number of functions were allotted to local bodies. But still, their function was dominated by landlords. The introduction of Big Landed Estates Abolition Act was passed in the state, which brought appreciable changes in the social, political, and economic aspects of life. All these measures created a conducive environment for the reactivation of the Panchayat system in reshaping the rural economy. Realizing this, the state Government replaced the Panchayat Act 1935 with Act V of Sanvat 2008 in 1951. Through this Panchayat has to perform administrative, developmental, municipal, and judiciary functions. From 1980 to 90, the desire was found at the national level to review the Panchayat Raj Institutions, and Jammu and Kashmir passed the Jammu and Kashmir Panchayat Raj Act 1989. This was certainly a very positive step in this regard. The Act provides for a three-tier system consisting of Halqa Panchayat, Block Development Council, and District Planning Board. In addition, the Act provides a Panchayat Adalat for every Halqa. This Act also provides a sign of women's participation in the political process. It states that if the authority found that the women for scheduled castes or any other backward classes do not represent in the Halqa Panchayat and the Council, it may nominate not more than two persons for both Tiers. Until that date, women remained passive in the functioning of local-self bodies as they were dominated by men. With the help of media, NGOs, T.V., Newspapers, Radio, etc. It was possible to urge rural women to recognize their role in society. The 73rd Amendment in 1992 that provided one-third reservation to women is considered a landmark in the history of decentralization of India. It was implemented by Rajasthan and fruitful results were realized. Women showed great responses to it in many states. But in Jammu and Kashmir Militancy took place due to which the conditions in the state did not

remain normal and Panchayat elections could not be held. Despite inhospitable conditions, the Government of the state conducts Panchayat elections during the first quarter of 2001 after a gap of 22 years. It was conducted in a phased manner on a non-party basis. The election of 2700 Sarpanches and 20548 Panch constituencies was conducted in which 2223 Sarpanches and 104869 panches were elected. It provides an encouraging picture, particularly for the Jammu division and Kashmir divisions were found uncomfortable, as 50 percent of Panch seats remained vacant. But women in Jammu showed great enthusiasm and took a keen interest in representing the local-self-government.

Table 1.1

The total number of women elected as Sarpanches and Panches in J&K, 2001.

District/ State	Number of the woman elected	
	Sarpanch	Panch
Srinagar		1
Kupwara		2
Baramulla		4
Leh		36
Kargil		2
Budgam		2
Anantnag	02	24
Pulwama		24
Total Kashmir division	02	71
Jammu	1	42
Kathua	1	23
Poonch	1	13
Udhampur	3	38
Doda	1	26
Rajouri	1	24
Total (Jammu division)	7	166
Total (J&K)	9	237

Source: Directorate of Rural Development Srinagar/ Jammu.

After analyzing, the above-cited information in table 1.1, it becomes clear that Jammu division is ranging from 0.5% in respect of Sarpanches to 1.70% in respect of panches, and Kashmir division is ranging from 0.19% in respect of Sarpanches to 1.37% in respect of panches. During the period of these five years many developmental works took place and women were seen as active participants. However, the conditions in Kashmir remained tense due to which many panches and Sarpanches resigned based on threats. On 17th December 2003, the Jammu and Kashmir Panchayat Raj (Second Amendment Bill) was passed to ensure the effective participation of women and other weaker sections of society in the functioning of local- self-government. On 18th June 2004 as SRO 181, a notification came and provided reservations for Panch seats to women and other backward classes in every Halqa Panchayat, with rotation after every general election.

This Act provided a base for women of Jammu and Kashmir to represent themselves in local self-government. Conditions in 2006 were not good enough for contesting elections, so elections were suspended. In 2011, the Government could conduct Panchayati Raj elections in 16 phases from 13 April to 18 June for 4130 Sarpanches and 20559 panches on a non-party basis with great transparency. As per the Rural development records, woman succeeded in gaining one-third of Panch seats but female Sarpanches is still rare, as only 28 women managed to win.

Table 1.2

No. of women elected Panch & Sarpanches in J&K (2011)

Jammu Division

Kashmir Division

District	No. of women elected (sarpanch)	No. of women elected Panch	District	No. of women elected (sarpanch)	No. of women elected (Panch)
Jammu	02	746	Kupwara	-	937
Kathua	04	562	Baramulla	02	712
Poonch	04	524	Budgam	-	686
Udhampur	05	548	Srinagar	-	25
Dooda	01	489	Leh	-	199
Rajouri	05	690	Kargil	-	204
Samba	01	260	Anantnag	-	673
Ramban	01	292	Pulwama	-	218
Kishtwar	-	287	Bandipora	-	288
Reasi	02	254	Ganderbal	-	277
Total	25	4752	Shopian	01	177
			Kulgam	-	324
			Total	03	4319

Source: Directorate of Rural Development/Jammu.

Analysis of the above table shows that out of 4128 sarpanch posts in 22 districts only 28 women could manage to win a success rate of less than one percent (0.70%) However, 9071 women Panches managed to win out of 20559 posts with a success rate of more than forty-four percent (44.12).

Panchayati Raj of Jammu and Kashmir in its Political Perspective:

The society of Jammu and Kashmir is mixed in terms of religion, castes, communities, etc., due to which different perspectives are found. This feature of society divides individuals in different ways. It creates a feeling of favouritism due to which people select their respective based on caste, religion sex, language, etc. rather than on qualities. These selected individuals in turn work for a particular group, which goes against the spirit of good governance. Mainly the functioning and success of Panchayati Raj in Jammu and Kashmir depend upon three variables. These are the approach of political parties, the participation of people, and prevailing conditions.

1. Approach of Political parties:

Political power changes from one party to another. So, in the development of any system, these parties play different roles in modifying the behaviour of such systems according to their needs and ideology. The desire for local self-government was shown first by the National Conference in its 'Naya Kashmir Manifesto'. In 1935, Panchayat was established but its nature and spirit were not democratic. It was amended in 1941 and a wide range of subjects was transferred to Panchayati institutions. With the emergence of the National Conference in power, the Act was amended in 1951. But Panchayati Raj institutions still worked under the domination of landlords. The Jammu and Kashmir Panchayati Raj Act 1989 was introduced in the state and presently the Act is in operation with some amendments. The Act provides a three-tier system. On 17th December 2003, the Jammu and Kashmir Panchayati Raj (Second Amendment Bill) was passed to provide reservations for women and other backward classes. Many political parties have amended the Panchayati Act according to the needs and desires of the party. So, each ruling party plays an important role in the functioning and structure of Panchayati Raj and the functioning or structure of local self-governance is influenced mostly by party behaviour. So, the functioning of these bodies also depends upon the will of political parties.

2. People's participation:

The success of local self -Government mostly depends upon the people's participation. In Jammu and Kashmir, different perspectives are found regarding the functioning of panaches and Sarpanches. Some people consider them as Indian agents and others say agents of welfare. In this way, Panchayati Raj Institutions have lost their identity. Whenever people came to participate to solve their local problems media highlights it as a plebiscite in favour of India, on the other side panaches and Sarpanches are killed in the name of army agents. So, society has been divided on the identity of local self-governance due to which the participation of people gets affected. Without the participation of people, the concept of decentralization remains a far cry.

3. Prevailing Conditions:

It means whether the present conditions in society are favourable for contesting elections or not. It also includes whether the life of participants is safe, whether institutions can perform functions etc. Political conditions are not stable in Jammu and Kashmir due to which local self-government remained dysfunctional. Forces are deployed to hold elections after that the government can't provide security to all its participants. In this way, representatives are killed and others resign. In this way, Local-self Government does not perform the desired functions and remains under the shadow of the election.

Role of Media in mobilizing the woman's participation in Panchayati Raj:

Media has made the world a global village and has broadened our awareness and relationships. All the organizations governmental, non-governmental, local, national, and international are using media to spread their message of woman's empowerment. Campaigns, Conferences, Dramas, Films, and Advertisements are being used to ignite the womenfolk for participation. Representatives are invited on Radio, TV, etc. to guide and encourage women in different aspects of life. Women problems social, political, economic, cultural, etc. are raised and the government is urged to take necessary measures to solve them. In Jammu and Kashmir, the media has to play an important role in highlighting the importance of local- self-government. It has to spread the message that panaches and Sarpanches are welfare agents and they have nothing to do with the Indian army or with the political issue of Jammu and Kashmir. It should highlight the weakness of Panchayati Raj Institutions and urge the state government to incorporate all the features of the 73rd amendment. Media is a weapon that provides energy to women and prepares them for participation in Panchayati Raj. Then, the Panchayati Raj provides a stage on which women represent and get training to solve rural and national problems.

Conclusion:

Panchayat Raj is an instrument through which weaker sections of society can be empowered to take an active part in the social, economic, cultural, and political aspects of our nation. It provides a basic stage for women to represent themselves in any field. It gives them knowledge, awareness, and training, as to how to solve their problems and others in our nation. Women become bold and take decisive decisions in local development programs. They took an active part in the decision-making and implementation of programs. They become competent in putting forth their innovative ideas.

Government should provide them with reservations for Sarpanch seats, increase reservations up to 50 percent for Panch seats, and provide incentive schemes and training courses. They should be given a respectable and enthusiastic feeling in our society. Panchayati Raj provides an opportunity for rural women to get a stand, understand their potential, and use them in solving the social, political, and economic problems of our nation and world.

Suggestions:

1. The election should be contested on a non-party basis. There should be no interference in the functioning of local bodies from political parties.
2. Local self-government in Jammu and Kashmir should not be related to its political issue.
3. Elections should be held for all tiers after every five years.
4. Reservation should be given to a woman at all levels up to 50 percent. They should be given handsome salaries and incentives.
5. Representatives of local-self bodies should be given proper security.
6. Qualification for contesting elections should be 10+2 for panches and at least graduation for sarpanch posts.
7. Panchayati bodies should be given proper authority to take decisions and supported financially so that the expectations of common people will be realized.
8. The remained features of the 73rd Amendment should be incorporated in the Panchayati Raj Act 1989.
9. Proper training courses should be offered to impart training and knowledge about the structure and functioning of Panchayati Raj.

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