

Introspection of Panchayat Raj in Kashmir

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Abstract

In recent period Local Governance and Panchayat Raj Institutions in particular have assumed greater significance under the contemporary development strategy wherein democratic decentralisation has emerged as a favourite word. Panchayat raj is as such considered to be an affluent reordering power equation, a tonic to the conscious strategy to share the power and complete the process of devolution in order to accelerate the pace of development in the rural India. In the context of Jammu and Kashmir these local governance institutions became the prey of conflict which was started during initial period of 90s. It was June 2011 when the elections of Halqa panchayat were conducted after three decades and the response of the electorate was remarkable to these elections. After these successful elections many elected representatives were decimated because they were supported the democratic setup of the country. These local bodies have lot of challenges in the State especially in the Valley due to political alienation and radicalisation of Kashmiri youth and lack of political will to empower them.

Keywords: Local governance, challenges of panchayat, Jammu and Kashmir radicalisation of youth.

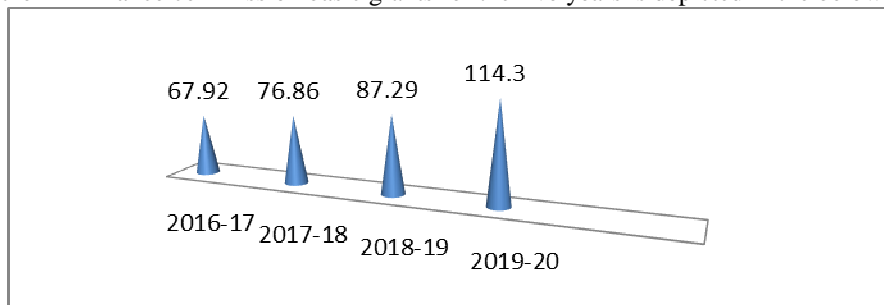
Introduction

Panchayats are the core instruments of social, Political and Economic empowerment in the country rely on the Gandhian philosophy. Today the three tier panchayat raj system which we see in the country is the outcome of various government panchayat empowerment steps initiated by different governments at different times. In this context, a milestone step was 73th constitutional amendment through which a constitutional status was provided to panchayat institutions; in the country except Jammu and Kashmir due to the special status under article 370 of the Indian constitution. The performance magnitude of these institutions varies from state to state. According to the Panchayat Devolution index 2012-13 report, Maharashtra tops the list, followed by Karnataka, Kerala, Rajasthan, Tamil Nadu and Jammu and Kashmir are among the states whose performance are indigent. Jammu and Kashmir was also the state which enacted the Jammu and Kashmir Panchayat raj act 1989 before the 73th constitutional amendments of India. After the formulation of this act Jammu and Kashmir came under the fire of a conflict which results every sphere of human life in the state was paralysed. Due to the germination of militancy in 1989 the panchayat institutions were closed due to the daunting that these institutions might not be used by these groups in order to operate the parallel Govt in the Valley (Ajaz 2012). So it is apparent from the study that the situation was not suitable for execution of Jammu and Kashmir Panchayati raj act 1989 at that time. Therefore it was the year of 2001 when panchayat election were held in the state which was conducted according to the Jammu and Kashmir panchayat raj act 1989 but that election was a paper exercise because the participation of the people remains indigent especially from the Kashmir region.

2011 Panchayat Elections

The Collation Govt. led by Omar Abdullah shows the seriousness in conducting the panchayat elections in 2011 and the date for the election were announced by the state government these elections were different from the past elections because a myriad Denizens of the valley participated and huge turnout were recorded despite the boycott call given by the Hurriyat leaders. The noteworthy thing about the election of 2011 was the participation of youth. The rational of mass participation in this election was that the people and especially youth were expected these local panchayat institutions will help in altering the socio-economic development of the villages in the Valley. The numbers of electoral in the Valley in Panchayat elections were 2519024 in 2011 as compared to 1859311 electoral of 2001 panchayat elections (J& K Electoral officer 2011). After this landmark panchayat election in the Valley the Government take some initiatives to empower these local bodies in this context the Jammu and Kashmir Panchayat raj act 1989 was amend ended in order to provide 33% reservations to the women and the marginalised class, Finance commission were setup. In addition to this a special committee were created called Madhavlal committee by the Govt. to construct the future development vision for these institutions and on the recommendations of this committee. The fourteen line departments were merged for the empowerment of Panchayats in the state. Further three days capacity building programmes were conducted by the rural development department at every block for the Panchayat functionaries and many functionaries made visit to the other states of the country in order to develop alacrity towards the scope of Panchayat institutions and a special monthly remuneration Rs 1500 to Sarpanch and Rs 1000 to Panch are provided to these Panchayat representatives by the Govt. The state of Jammu and Kashmir has 19th rank among the Indian states (Panchayat devolution index 2013). The panchayat devolution index was based on the six dimensions these are Frame work

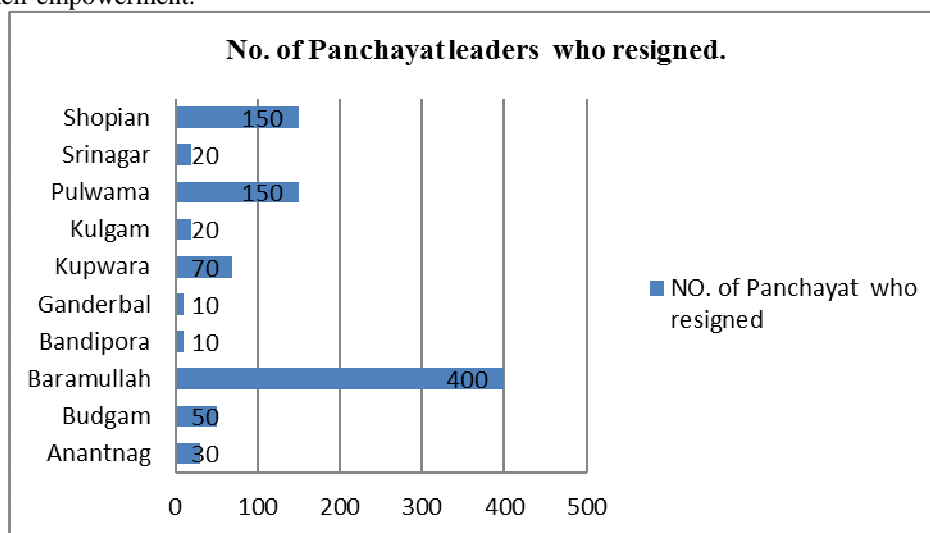
of panchayats, Functions, Finances, Functionaries, Capacity building and Accountability and presents the overall score and ranks for the states/ UTs on these six dimensions. Recently the 14th Finance commission has taken up very significant decision to focus on the funding only Halqa Panchayats in the whole PRI structure the funding is divided into basic Grants which come up to 90% and performance grants that are 10% of the total grants. It is the responsibility of the state to distribute the funds in the ratio of 90:10 on the bases of area and population till the state finance commission is consulted. The funds are directly credited to the Halqa Panchayat account. The breakdown of the 14th finance commission basic grants for the five years is depicted in the below fig.(in lacs)



Source: - J&K Govt. order No 325 RD& PR of 7-12-2015

Post 2011 Era

After the election the militants start to target the elected Panchayat representatives and many representatives lost their lives which creates the terror among rest panchayat representatives upshot of which they announced resignation in the local dailies. Nine hundred panchayat leaders have resigned in the Valley (Richard Mahapatra 2012). During last four years, 10 sarpanchs has been killed in the Valley (Abdul Haq Khan 2015). During the 2016 unrest, two more Sarpanches were killed one from Duru Anantnag and another from District Pulwama. The sarpanch of Duru Anantnag were killed in an encounter and the another shot by unknown persons. The researcher too found that many representatives have left their native places for some time just after winning the panchayat election due to beget of deleterious environment created by the killings of Panchayat representatives. It was also depicted from the field that most of the elected representatives were deprecated with the present institulazation of panchayat as according to them they were not empowered as the state govt was facetious regarding their empowerment.



Source: - Richard Mahapatra 2012

2016 unrest and local democratic institutions of Kashmir

It is always said that the situation of the Valley is capricious when, where, what will happen nobody knows. It is manifest from the 2016 violence till 7 July everything was normal but due to the operation of Burhan Wani the valley turned into the battle field. During this violence I was in the valley I think it has long term impact on the provincial politics of the state. The deleterious milieu of the Valley disseminated the seed of radicalisation and political alienation among the new buds of the state. Once again the educated youth joined the militant outfits in order to find the solution of Kashmir which is a noxious for the democratic setup in the Valley. During the violence of 2016 the small kids of the Valley raised the slogan “*there is only one solution Gun solution Gun solution*”. In this destructive wave the state suffered a mighty loss RS 16,000 crore. The works on the

developmental projects were badly affected (P.T.I Jan. 10, 2017). The attendance in the Govt as well as private departments' remains destitute. The repercussion of the violence was crystal clear it fettered the pace of developmental works especially in the rural development. Panchayat elections once again became the target of violence. The state Govt has announced that Panchayat elections will be conducted in March 2017 however; many politicians and experts were against the decision. According to them the conditions of the Valley are not auspicious for the Panchayat elections in the state. 22 Panchayat Ghars were destroyed during the wave of violence. 8 in the district Anantnag, 5 in Pulwama district, 5 in Kulgam district 3 in Shopaian and 1 in district Gandrabal(K.N.S. Jan. 20, 2017). Myriad number of panchayat elected representatives of 2011 resigned in presence of public during the Fridays.

I think unless Govt of India and the state Govt will not address the prime aspirations of the inhabitants of the state till the democracy will not work out in the state.

Current Status of panchayats

The Panchayats of the state are weak both structurally and functionally which curtails them from development (Rekha 2012). Jammu and Kashmir are the states where panchayats are entirely toothless (Anil sharma 2016) Kashmir needs panchayat reforms (Ex home secretary Pillai 2016). In Kashmir empowering the local democratic institutions could help main stream Kashmir (Dileep Padgonkar 2016). There is a dearth of true democratic empowerment of Panchayats in the Valley as it is patent from the study that during the last five years of Panchayati raj in the valley that only the rural development was active at field and other departments were on the Govt. papers. The second thing that the Govt. made elections only for first tier of the panchayat the rest two tiers are still unelected thus it is not complete institutionalization of grassroots democracy which shows the apathy of state Govt. regarding the empowerment of PRIS in the state. The persons who were elected are mostly illiterate they did not know their role and responsibilities. During the survey, it was found that the villagers are fed by the depraved nature of elected functionaries as most of the villagers were not informed by their ward members about the Halqa Majlis meetings. The Halqa Majlis(Gram Saba meetings) meetings were conducted at Sarpanch house. There are the reasons why these meetings are conducted behind the closed doors the first reason is the accountability and second is the social settings of the valley as many people think that the participants of these meetings are the agents of Government and are against the self determination movement of Valley. Third is the lack of proper infrastructure in the Panchayat Ghars. And fourth is to keep the villagers under dark about the developmental budget of the Village. The main participants in these meetings were the closest peers of the panchayat functionaries as they have made a special group in the villages and no one can raise the voice against this group. It was also depicted from the survey that the functionaries use the powers for self development. The main developmental works in these villages are construction of culverts; drains and fencing of Graveyards it was reported from the field that mostly the contractor of these works are the panchs or the sarpanch. One of the respondents during the field survey shows his opinion about the panchayat raj institutions of the Valley "*The panchayat institutions in the Valley are not the democratic institutions but these are the money earning agency for the elected functionaries and their friends*". The IAY sheds were distributed on the basis of nepotism and from the survey it was found that a bribe in multiple forms to sarpanch plays a pivotal role in allocating the IAY houses in the Village. The Denizens of the village told that we vote for the entire development of the Village but now the site for work in the village are selected on the basis of political party affiliation. The other respondent shows views "*the panchs and sarpanch have looted the entire developmental plan for their own needs*". The common man of the valley has now no faith on these democratic intuitions because of the egocentric behaviour of the elected functionaries. Most of the respondents show dissatisfaction with the present institutionalization of grass root democracy of Kashmir. During the field survey of ten villages of Anantnag district of Valley, it was reported that only 23% of respondents show satisfaction with the working of present Panchayat raj institutions while as 65% show dissatisfaction on these institutions and 12% of respondents did not show any opinion.

Hurdles to Panchayati raj institutions in the Valley

According to my opinion, there are two types of hurdles to these institutions in the Valley these are General hurdles and particular hurdles.

General hurdles

In General the author highlights the hurdles which are general in nature and every panchayat faces in the country with different magnitudes and forms like:-

- Lack of accountability.
- Paucity of proper infrastructure.
- Rapacious nature of the panchs and sarpanchs.
- Rigorous attitude by the society towards the women representatives.
- Indigent awareness among the people.

- Dearth of definite funds.
- Tenuous participation of people in the panchayat meetings.
- Cultural rigidity.

Particular hurdles

These types of hurdles are especially faced by the local governance in Kashmir. These hurdles are deleterious for the democratic setup in Kashmir and it needs exigency attention by the Govt and the civil society of the country. These challenges are:

- The Germination seeds of separatism in the minds of Youth.
- Trust defects on the Governments machinery among the denizens of valley.
- Lack of faith on the democratic institutions of the Valley among the masses.
- Rise of political alienation among the subjects.
- Radicalisation of youth.

The above hurdles if not addressed creates the problem not only in Kashmir but for the whole country. During the field survey researcher interact many buds of the valley and most of them show antagonistic behaviour towards these democratic institutions.

At present there are two main discourses prevailing in the state one supports the democratic system of the country and another who is against the democratic procedure. The people who are inclined by the thought of Separatism are mainly the young and educated youth and according to them unless the crisis of Jammu and Kashmir are not solved according to the aspirations people of the Jammu and Kashmir till there is no significance of democracy in the state. It is the reason the group gives boycott calls of non participation in the elections or any episode which supports the democracy. On the other side the people who supports the democracy believes that the democracy is the only way to solve the crises of Jammu and Kashmir. Due this antagonistic milieu the common man became the sandwich between these as if the common man supports the democracy he has been regarded as enemy of self determination movement and if the same man did not support the system he has been called the adherent of separatism upshot of which the common man are under attack from both sides.

Conclusion

Panchayat raj is the only way to improve the common denizens of the valley and is only device for common man to come in the mainstream but these institutions in the valley are incapable and are not empowered as was expected by the people. These institutions have become the spring of corruption outcome of which the common man of the valley remain no faith on these institutions. In addition to this the youth of the valley goes away from these institutions which is destructive for the democratic structure of the valley and for the country. The main cause of political alienation of youth is muscle approach which Govt uses during the violence in the Valley. To tackle this central Govt should take some confidential measures, through which the Govt can win hearts of the people. As we have seen in the past when ever violence erupts in the valley the central Govt thinks of economic aid and force but that is not the therapy of the deep rooted problem unless and until our central and state Govt will not address the fundamental graveness of the citizens of the state. *"Hearts can be won only by love justice truthfulness and sincerity and not with subsidized rice, army and offering largesse"* (Sheikh Mohammad Abdullah). The democracy defect of the valley are directly related to the Human rights violations as using force is directly preoperational to the political alienation and radicalisation in the Valley. The relation between security forces and the common people should be strengthening through different developmental programmes. These local institutions should be empowered in such a way that the political alienation should be reduced. The debate on the sensitive issues which adds the flavour in the violence in the state should be closed. The report of interlocutors (2010) should be opened in the parliament and should implemented in the state it will be helpful in constructing the trust of a common man of the valley on the democratic setup of the country.

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