

# Empowerment of women in the Perspective of Jammu and Kashmir Panchayati Raj

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## ABSTRACT

Panchayati Raj institutions have always been considered as a means of good governance which is close to rural people. It has played a vital role in the socio-political development of rural section of society and nation. In Jammu and Kashmir, its initiative was taken in 1935, by Maharaja Hari Sing. With the passage of time, new features were added to it in order to make it a self-sufficient body. The present study was an effort to see it, in the perspective of women's empowerment. The data collected for this purpose is based on Acts, orders, recommendations, reports of committees, news papers, government documents and research papers etc. The state government has taken measures for the reservation of women and other backward classes. But, there are other things that 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 state. Women become aware about their rights, roles, structures of governmental organs, and become competent personalities to take decisive decisions for implementing their innovative ideas.

**Keywords:** Empowerment, local self-government, representative, recognition, womenfolk.

## I. INTRODUCTION

People by nature have a tendency to work together. This tendency urged them to create groups, communities and states in order to protect their self interests. So, human beings feel proud in 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 Panchayati Raj was taken by Maharaja Hari Singh in 1935. Though Panchayati Raj was established but, it was not democratic in its nature and spirit. So, it did not achieve the desired ends of decentralization but, worked 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 on the grounds of caste, sex, language, religion etc., in order to achieve equal status. With the help of media, governmental and non-governmental organizations, women empowerment movements and governmental initiatives, a reform was brought in the society to recognize them and allow them to take part in the socio-political process of state. Panchayati Raj in Jammu and Kashmir provided an opportunity to rural women to get stand and represent themselves. But, the opportunity was not utilized by women as neither reservation was provided to them nor conditions were favorable to them and Panchayati Raj was mainly dominated by men in its initial and middle stage. In 2003, the Jammu and Kashmir Panchayati Raj (Second Amendment Act) was solely

passed with the objective 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 for 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 local self-government of Jammu and Kashmir. Firstly, 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 Sarpanchesseats without any reservation. Thirdly, women took active part in the selection process. Fourthly, the voter's percentage rose up to 79 percent. Fifthly media took an active part in mobilizing the people for participation. With the passage of time a lot of fluctuation came in the functioning and structure of Panchayati Raj as many panches and Sarpanches from Kashmir division resigned from posts due to the turmoil in Kashmir division. However, many development functions were completed during the five years. After the end of fixed period, new election had to be conducted in 2016, but due to the prevailing conditions it was not possible. On 12/26/2017, the decision to commence the Panchayati election from February 15, 2018 was conveyed by Chief Minister Mehabooba Mufti to Governor NN Vohra. On February 4, 2018, all party meeting was held to convince all the political parties for this election. But, all parties other than ruling one argued that the conditions for election are not favorable. 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 Panchayat elections is an unanswerable question.

## **II. EMPOWERMENT OF WOMEN THROUGH PANCHAYATI RAJ INSTITUTIONS IN JAMMU AND KASHMIR**

Man is a social animal. People cooperate with each other in order to achieve their desired ends. They created groups, communities and states etc. for this purpose but their authority did not remain under their domain, as it went up in the form of centralization. With the passage of time it was found that the positive development was not possible without the participation of people. So, the concept of decentralization was supported all over the world. In India, the major step was taken in 1992 under the Amendment of 73<sup>rd</sup>. But, the Jammu and Kashmir State occupies a special status under the Article of 370 due to which it was not directly applicable. The desire for decentralization was indicated by National Conference party under its 'Naya Kashmir Manifesto'. In which the 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 but it did not achieve the desired ends as its 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 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. In 1980 to 90, the desire was found at the national level to review the Panchayat Raj Institutions and the Jammu and Kashmir also 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 for a Panchayat Adalat for every Halqa. This Act also provides a sign for women's participation in the political process. It states that if the authority found that the women or 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. Till the date women remained passive in the functioning of local-self bodies as they were dominated by men. With the help of media, NGO, T.V., News papers, Radio, etc. It was possible to urge the rural women to recognize their role in society. The 73<sup>rd</sup> 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 response to it in many states. But in Jammu and Kashmir Militancy took place due to which the conditions in state did not remain in normalcy and Panchayat elections could not be held. Despite inhospitable conditions, the Government of state could conduct Panchayat elections during the first quarter of 2001 after the gap of 22 years. It was conducted in phased manner on non party basis. The election of 2700 Sarpanches and 20548 panch constituencies was conducted in which 2223 Sarpanches and 104869 panches got elected. It provides an encouraging picture particularly for Jammu division and Kashmir division was found uncomfortable as 50 percent panch seats remained vacant. But woman in Jammu showed a great enthusiasm and took keen interest in representing the local-self-government.

**Table 1.1****Total number of woman elected as sarpanches and panches in J&K, 2001.**

District/ State	Number of woman elected	
	Sarpanch	Panch
Srinagar		1
Kupwara		2
Barmulla		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 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 woman were seen active participants. But, the conditions in Kashmir remained in tense due to which many panches and Sarpanches resigned on the basis of threats. On 17<sup>th</sup> December 2003, the Jammu and Kashmir Panchayat Raj (Second Amendment Bill) was passed to ensure effective participation of woman and other weaker sections of society in the functioning of local- self government. On 18<sup>th</sup> June, 2004 as SRO 181, a notification came and provided reservation for panch seats to woman and other backward classes in every Halaqa Panchayat, with rotation after every general election.

This Act provided a base to woman 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 non party basis with great transparency. As per the Rural development records woman succeeded in gaining one third of panch seats but a female Sarpanches is still rare, as only 28 woman managed to win.

**Table 1.2**

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

Jammu division

Kashmir Division

District	No. of women elected( sarpanh)	N0. Of women elected panch	District	No. of women elected (sarpanch)	No. of women elected (panch)
Jammu	02	746	Kupwara	-	937
Kuthwa	04	562	Baramulla	02	712
Poonh	04	524	Budgam	-	686
Udhampur	05	548	Srinagar	-	25
Dooda	01	489	Leh	-	199
Rajoury	05	690	Kargil	-	204
Samba	01	260	Anantag	-	673
Ramban	01	292	Pulwama	-	218
Kishtiwar	-	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 above table shows that out of 4128 sarpanch posts in 22 districts only 28 woman could manage to win success rate of less than one percent (0.70%) However 9071 woman Panches managed to win out of 20559 posts success rate of more than forty four percent (44.12).

### III.PANCHAYATI RAJ OF JAMMU AND KASHMIR IN ITS POLITICAL PERSPECTIVE

The society of Jammu and Kashmir is mixed in terms of religion, castes, communities, and languages etc., due to which different perspectives are found. This feature of society divides individuals in different ways. It creates a feeling of favoritism due to which people select their respective on the basis of 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 Panchayti Raj in Jammu and Kashmir depends upon three variables. They are: approach of political parties, 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 behavior of such systems according to their needs and ideology. The desire of 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 was not democratic. It was amended in 1941 and a wide range of subjects were transferred to Panchayti institutions. With the emergence of National Conference in power the Act was amended in 1951. But Panchayti Raj institutions still worked under the domination of land lords. The Jammu and Kashmir Panchayti Raj Act 1989 was introduced in state and presently the Act is in operation with some amendments. The Act provides a three tier system. On 17<sup>th</sup> December 2003, the Jammu and Kashmir Panchayti Raj (Second amendment Bill) was passed in order to provide reservation for woman and other backward classes. Many political parties have amended the Panchayti Act according to the needs and desires of party. So each ruling party plays an important role in the functioning and structure of Panchayti Raj and the functioning or structure of local self governance is influenced mostly by party behavior. 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 Panchayti Raj Institutions have lost their identity. Whenever people came for participation in order to solve their local problems media highlights it as a plebiscite in favor of India, on the other side panaches and Sarpanches are killed on the name of army agents. So the society has been divided on the identity of local self governance due to which the participation of people gets effected. 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 favorable for contesting elections or not. It also includes whether the life of participants is safe, whether institutions can perform functions etc. In fact, political conditions are not stable in Jammu and Kashmir due to which local self government remained dysfunctional. Forces are deployed to held elections after that it is not possible for the government t to provide security to all its participants. In this way representatives are killed and others resign. In this way Local-self Government do not perform the desired functions and remain under the shadow of election.

#### **IV.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 massage of woman's empowerment. Campaigns,Conferences Drams, Films, and Advertisements are being used to ignite the womenfolk for participation. Representatives are invited on Radio,TV etc. to guide and encourage woman in different aspects of life. Woman problems social, political, economic, cultural etc.are raised and government is urged to take necessary measures to solve them. In Jammu and Kashmir 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 Indian army or with the political issue of Jammu and Kashmir. It should highlight the weakness in Panchayti Raj Institutions and urge state government to incorporate all the features of 73<sup>rd</sup> amendment. In fact, media is a weapon that provides energy to woman and prepares them for participation inPanchayati Raj. Then, the Panchayati Raj provides a stage on which woman represent and get training to solve the rural and national problems.

#### **V.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 woman to represent themselves in any field. It gives them knowledge, awareness, training, as how to solve their own problems and others of our nation. Women become bold and take decisive decisions in the local developmentprograms. They took active parts in decision making and implementation of programs. They become competent in putting forth their innovative ideas.

Government should provide them reservation for Sarpanches seats, increase reservation 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. Panchayti Raj provides an opportunity to rural woman to get standand understand their potentials and use them in solving the social, political and economic etc. problems of our nation and world.

#### **VI.SUGGESTIONS**

1. The election should be contested on 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 with its political issue.
3. Elections should be held for all tiers after every five years.

4. Reservation should be given to woman at all levels up to 50 per cent. They should be given handsome salary and intensives.
5. Representatives of local-self bodies should be given proper security.
6. Qualification for contesting elections should be 10+2 for panaches and at least graduation for panch posts.
7. Panchayti bodies should be given the proper authority to take decisions and supported financial so that the expectations of common people will be realized.
8. The remained features of 73<sup>rd</sup> Amendment should be incorporated in the Panchayti Raj Act 1989.
9. Proper training courses should be used to impart training and knowledge about the structure and functioning of Panchayti Raj.

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