



Democratic decentralization in Jammu and Kashmir: A study with special reference to Poonch district (2011 Panchayat Election)

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Abstract

Democratic decentralization is the most important dimension of the democratic governance system, incomplete in the absence of the public dimension and the dimensions of governance by the public. The principle of decentralization in the context of India is motivated by the views of Mahatma Gandhi. Article 40, in the policy elements of our constitution, deals with this important idea, it has also been given constitutional status by the 73th amendment, the Government of Jammu and Kashmir has also adopted the 73rd amendment and the 'J & K Panchayati Raj Act 1989. However, the 2011 Panchayati Raj election provides important opportunities for the renaissance of the people's confidence hereby through the empowerment of elected representatives through the democratic system, and, in real terms, ensures the participation of people in the democratic process. It is also a major challenge for the government to fulfil the democratic aspirations of the masses, which have shown participation in the local-level democratic process with a true heart. This is a gradual analysis of the changes made through Panchayati raj, and rural development in 2011 in Poonch district of Jammu and Kashmir. Jammu and Kashmir. The study was conducted in March-April 2017 in twenty randomly selected Panchayats from two Blocks of District Poonch of state of Jammu and Kashmir. The results of the study reveal that of the elected representatives Sarpanchs. Among the restraint majority of the respondents look upon lack of cooperation from Sarpanchs and lack of monetary assistance in the form of wages as the main constraint they expression in performing their functions successfully.

Keywords: sarpanch, decentralization, democracy and representative

Introduction

Democratic decentralization is a political concept. Through democratic decentralization process power is spreaded from the top to bottom. The aim of such decentralization is to expand the field of authority Democratic decentralization is a political concept. Through democratic decentralization and specialization and to enable the people to make more and more participation in politics and administrative affairs. To achieve these objectives, new institutions are created and the old and existing institutions are reorganized or remodel and reformed. The main purpose of democratic decentralization, however, is to bring fundamental changes in the traditional outlook about the power structure of the government. Thus, democratic decentralization means decentralization of power. The source from which this power is decentralized is based on the democratic structure and hence, such decentralization is called the democratic decentralization. Moreover, the authority on which the power is to be delegated is also organized democratically. Through this democratic decentralization a relation of closeness and co-operation is created between the governmental administrative system and the non-governmental leadership and controlled.

Democratic decentralization covers a system of governance in which citizens of any locality possess the right to hold local public officials accountable through various democratic means. In developed and developing countries authority is devolved to local units of governance that are accountability and responsibility to its peoples. Procedure, planning and

execution at local levels is a matter of concern for scholars engaged in local government research. During last few decades all democracies are moving towards more decentralization but the capability of local government institutions to serve their masses is continuously under question. This issue is more important in developing countries where service delivery by local government institutions poses numerous challenges in mitigating the problems of vulnerable sections of the society. This problem is less alarming in developed countries due to improved level of public participation. In all democracies decentralization process faces problems and discontents from its inhabitants. Papers on either national or cross national dimension are invited which focus on issues of local government reforms, democratic decentralization and its implications for public policy. Identification on the gaps between proposed reforms and actual practices and suggestions for improvement would also form the part of the deliberations of this panel. Has the nature of democracy really changed from representative to participatory or it is merely a change in the form and not in substance of governance is another theme we hope to address.

Panchayati Raj in Jammu and Kashmir

The Jammu and Kashmir state has its own single account as panchayati raj is concerned. The political crisis that has been occupying it for a long time at present has not authorized any helpful social rebuilding projects to go well in a designed way. The idea of grassroots empowerment in J & K emerged as part

of the national movement that took the form of an structured mass movement since 1931. It was in the force of this popular movement that the Maharaja's government initiated a sequence of reforms. It promulgated the J& K Village Panchayat Regulation Act No. 1 in 1935. The National Conference that spearheaded the freedom movement in the valley provided for the institutional agreement for grassroots empowerment in its party agenda "*New Kashmir Manifesto*" adopted by the party in 1944. The National Conference came to power in March 1948. At that time, the development situation of the State was characterised by economic stagnation and educational backwardness. The Zamindars had accumulated great chunks of land all the way through management. The majority of the people were impoverished. In observation of this situation ending of landlordism became the top priority of the Government. It resulted in the introduction of the Landed Estates Abolition Act, 1950. This was a milestone in the history of J & K as it was the first research of its kind in land reforms in the sub-continent. It provided a sound base for reactivation of the Panchayati Raj system in reshaping the rural economy in the State. Realising this, the Government replaced the Panchayat Act of 1935 (as amended in 1941) by Act-V of Samvat 2008 (equivalent to year 1951).

Limitations of the Jammu and Kashmir Panchayati Raj act, 1989

The Jammu & Kashmir Panchayati Raj Act of 1989 cannot in a few ways maintain to decentralise power or generate a democratic environment at the grassroots level. One of the gravest flaws in the Act relates to government involvement in the composition of panchayats. Not like the 73rd Amendment to the Constitution that provides that all the seats in the panchayats shall be overflowing by persons selected by direct election from territorial constituencies in the panchayats, this Act provides for nominations at every level – the Halqa Panchayat, the Block Development Council and the District Planning and Development Board. The principle of direct election of panchayats is useful merely at the village level. Neither the Block Development Council nor the District Planning and Development Board contain directly elected representatives of the people. It is only the chairman of the Block Development Council who is elected but the mode of election is indirect i.e., the Electoral College comprised the panches and sarpanches surrounded by that block. Likewise, there is no condition for direct election to the District Planning and Development Board. It is only the vice chairperson of the Board who is elected; the Electoral College comprises the members of the Board itself.

Aims and scope of the study

The aim of such decentralization is to expand the field of authority. Democratic decentralization is a political concept. Through democratic decentralization and specialization and to enable the people to make more and more participation in politics and administrative affairs. To achieve these objectives, new institutions are created and the old and existing institutions are reorganized or remodel and reformed. The main purpose of democratic decentralization, however, is to bring fundamental changes in the traditional outlook about

the power structure of the government. Thus, democratic decentralization means decentralization of power. The source from which this power is decentralized is based on the democratic structure and hence, such decentralization is called the democratic decentralization. Moreover, the authority on which the power is to be delegated is also organized democratically. Through this democratic decentralization a relation of closeness and co-operation is created between the governmental administrative system and the non-governmental leadership and controlled.

Panchayat elections in 2011

The panchayat elections in Jammu and Kashmir were announced after a gap of 10 years, and the process began in early 2011. The last panchayat elections were conducted in the State in 2001-02 after a gap of 23 years. The panchayat elections were 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. About 29,000 polling stations were set up for conducting these elections, and more than 50 lakh people were eligible to cast their votes in these elections. These panchayat elections shaped great surrounded by rural masses. They have shown great interest and participated vigorously in these panchayat elections. Over 79 per cent of the electorate exercised their right to vote. These elections were very important because for the first time reservation was provided to women and SCs/STs in panch seats. Due to reservation out of 28248 panches elected across the State, 9424 are women i.e., 33.3 per cent of elected panches are women. But in case of sarpanch posts, the fairer sex in Jammu and Kashmir has failed to break into male-dominated politics of the State. Out of 4,113 sarpanch posts in the 22 districts of the State, only 28 women managed to win the elections- a miserable achievement rate of 0.68 per cent. It is because of the fact that there was no reservation for women in sarpanch constituencies.

Review of literature

Bardhan & Mookherjee (1999, 2000 and 2002) ^[1, 5, 6] with in his paper "Decentralisation, corruption and government accountability" inside their critical study emphasize that responsibility within underdeveloped countries be particularly pretentious with the possibility of corruption otherwise confine beside interest groups. Even though (Local government) having enhanced knowledge as well as accountability pressure, they possibly will be supplementary exposed to take into custody by local elites, subsequently readily available will be inconsistent allocate of expenditure on public goods (Bardhan 2002) ^[5].

Fisman & Gatti (2000) with in his paper "Decentralisation and corruption: Evidence from U.S. federal transfer programs" observe this assumption empirically besides studying the divergence connecting revenue age group as well as expenditure in U.S. states. They discover to big federal transfer are connected with superior rates of confidence for mistreatment of public office, which chains the theory so as to soft-budget constraint shaped by federal transfer are potentially problematical. Within cross-country regressions cover 57 countries by data referring to the phase 1980-95,

Fisman & Gatti (2002) propose that financial decentralisation within government disbursement is powerfully as well as significantly connected through lower corruption. This consequence is support beside Gulsun Arikan (2000), who examines the consequence of financial decentralisation resting on the altitude of corruption. It be hypothetically exposed that improved decentralisation cause more antagonism used for capital amongst jurisdictions, consequential in a inferior level of corruption. This consequence is experienced by cross-country data. The regressions authenticate the hypothesised correlation, excluding are sensitive towards the abundance of the illuminating variables.

Ashwani Kumar (2012) [10] with in his paper “Participation of women in panchayati raj institution in Jammu and Kashmir” In the end, one can say that women and SCs/STs are not completely mistreated in the political sphere. Although their representation in totality is not very helpful but they were self motivated and resolute to contest. But government need to empower grass root institutions and implement the 73rd amendment in letter and spirit. It is only because of this that sufficient representation of all sections of people would be potential at the grass root level. Ultimately it would give confidence the disturbed masses to come into the mainstream of nation building and re-establish the actual democracy.

Aijaz Ashraf Wani (2011) [7] within his paper, ‘2011 Panchayat election in Kashmir: A Case for democratic decentralization’ emphasize the consequence of these election inside the framework Jammu & Kashmir. There is denial fashionable effort on Panchayat raj during Jammu and Kashmir together with all its proportions. Since the state remain extremely politically self-determination since independence because a consequence local governance didn’t be given magnitude right from 1947. The in attendance will not merely reappear the times gone by of Panchayat raj within the state tracing its course during diverse phase of Kashmir inconsistency. The studies will moreover focal point on the operational of Panchayat organization following the significant 2011 elections. It will aspire at provided that a instruction used for policy makers because to how these institution could be efficient instrument of reinforcement democracy within the state.

Objective of the study

The general problem of this study is to assess the role of the democratic decentralization in Jammu and Kashmir. Within this compass is seeks to explore and analyze the following specific problems.

1. To study and examine the challenges of Panchayati Raj in Jammu and Kashmir.
2. To know and assess the opinion of the public about the awareness, efficiency, utility and actual functioning of PRIS.
3. To study the cause responsible for overwhelming participation of people in 2011 elections.

Research Methodology

This study will be based on primary as well as secondary sources. Primary sources includes questionnaires and schedule interviews. It also involves empirical research in nature. Area of the research will be the poonch district in the state of

Jammu and Kashmir. Data will be collected keeping in mind the representation of all age groups, income categories, level of education, religion, occupation and sex. It will also include secondary sources based on governmental and non-governmental reports, records, books, magazines articles and journals relevant to the research.

Universe of the study

District poonch or punch is one of the most remote district of Jammu and Kashmir. It is bounded by the actual line of control (ALC) boundary between India and Pakistan administered Kashmir (north, west and south).The district headquarters is in the poonch district. Presently poonch district of Jammu and Kashmir has been divided six thesils and three sub divisions. poonch district is a total no villages 189.The topography of the district is is mixed with both plains and mountains area. District poonch is famous because of ‘Ragma’ some holy places, tourist destinations and graveyard of Sufi saints the district is away from 260 km in Jammu city. In the time of 2011 panchayat elections the district only has only 6 blocks but now the creation of new administrative units by the government.

The study was conducted approximately the two blocks of the district furthermore the subsequent halqa panchayats be selected as sample lying on the basis of random sampling. Because the scholar is the inhabitant of the area, and therefore quite recognizable with the socio-economic circumstances of the people along with quite particularly with parlance of the people, and to obtain more accurateness questionnaire was formulate in native language to keep away from error while interact. The mode of investigation adopted afterwards consisted of a personnel visit to the villages, telephonic conversation and extended interviews with a number of elected representatives as well as also interaction with common people. The research survey was conduct in the month of March 2017.

The selected block which are as under:

1. Mankote: 10 panchayat were selected as sample
2. Mendhar: 10 panchayats were selected as sample

After the significant elections, the lowest tier halqa Panchayat were accordingly constituted in July 2011, and consequently by September 2011, the procedure of empowerment began. Panchayats were empowered to prepare plans to certify better performance of rural development programmes. Though during my field work a majority of the members answered the question, do you develop a plan for the development of your Panchayat? Responded during negative, and said so as to the bureaucracy is manufacture planning and our judgment is not taken interested in considerations.

Table 1: block wise reservation of Halqa Panchayats

		Yes	No	Total
Block	Mendhar	02 20%	08 80%	10 100.0%
	Mankote	04 40%	06 60%	10 100.0%
Total		6 30%	14 70%	20 100.0%

Source: Primary field survey of Poonch district J&K- 2017

The above table 1. reveals the reserved halqa panchayats in the selected panchayats. The data in the table shows that in the block Mendhar about twenty percent of the halqa panchayats are reserved. Basically, these panchayats are dominated by the Gujjar community so these are reserved for ST community members. While in the block Mankote about forty percent panchayats are reserved in which thirty percent are reserved for ST candidates and about ten percent are reserved for women. These panchayats of the study area also mostly dominated by the ST population so these are reserved on the bases of population.

Table 2: Block wise participation in Panchayat meetings and trainings

		Yes	No	Total
Block	Mendhar	10	0.00	10
		100.0%	0.00%	100.0%
	Mankote	10	0	10
		100.0%	0.0%	100.0%
Total		20	0.00	20
		100.0%	0.00%	100.0%

Source: Primary field survey of Poonch district J&K- 2017

The above table 2. interprets the active participation of the sarpanches in the halqa panchayat meetings and in other training programmes. As the table reveals it can be said that all the sarpanches of the selected panchayats of both the blocks attend the meetings of the halqa panchayats, because they themselves chair and conducts all the meetings so all the policies and programmes are framed under their supervision and it become necessary for them to attend all the meetings so, they do so.

The below table 3. Shows the sarpanch’s management of time for panchayat activities. The data shows that in the study area about forty percent sarpanches give proper and adequate time for the functions and activities of panchayats as they have eager to do something for the public without any condition. While about fifty percent sarpanches cannot give adequate time for the panchayats activities because some of them are busy in their domestic works some have the idea that there is not too much burden of work so when they feel it is important for them to give concentration to panchayat activities than they do so. The remaining ten percent sarpanches are not able to say anything about the time management.

Table 3: Block wise, do you think that you spend adequate amount of time regarding Panchayat every day

		Yes	No	Undecided	Total
Block	Mendhar	4	4	2	10
		40.0%	40.0%	20.0%	100.0%
	Mankote	4	6	0	10
		40.0%	60.0%	0.0%	100.0%
Total		8	10	2	20
		40.0%	50.0%	10.0%	100.0%

Source: Primary field survey of Poonch district J&K- 2017

The below table 5. Shows the attitude and concentration of sarpanches towards public. The data in the table reveals that about fifty percent sarpanches consult with the public when they formulate the plan for the panchayats, because firstly they consult the people than the prepare plan according to the need and demands of the public. While about fifty five percent sarpanches do not properly consult the public as they thought that they themselves know everything of the panchayats s they have no need to consult too much with the public they themselves prepare plan according the needs of the panchayats.

Table 4: Block wise, do you consult people to prepare plan

		Yes	No	Undecided	Total
Block	Mendhar	4	5	1	10
		40.0%	50.0%	10.0%	100.0%
	Mankote	6	4	0	10
		60.0%	40.0%	0.0%	100.0%
Total		10	9	1	20
		50.0%	45.0%	5.0%	100.0%

Source: Primary field survey of Poonch district J&K- 2017

Table 5: block wise,do panchayat offers programmes which help in reducing poverty

		Yes	No	Undecidd	Total
Block	Mendhar	5	4	1	10
		50.0%	40.0%	10.0%	100.0%
	Mankote	7	1	2	10
		70.0%	10.0%	20.0%	100.0%
Total		12	5	3	20
		60.0%	25.0%	15.0%	100.0%

Source: Primary field survey of Poonch district J&K- 2017

The above table 5. Shows the role of panchayats in eradicating the poverty. The data in the table shows that about sixty percent of the sarpanches launch the schemes which are helpful to reduce the poverty in the area. No doubt the state government is not serious towards the panchayats but the sarpanches themselves at the panchayat level launch some schemes and programmes for this purpose. While on the other hand some sarpanches have failed to launch poverty alleviation schemes because they claim that the state government do not support them so there is lack of funding and they are not able to offer or launch such schemes.

The below table 6. Shows the education of the respondents of the study area. The data in the table interprets that in block mendhar majority of the people have acquired education up to Primary and upper primary level while only few people reach up to secondary and higher level. On the other hand,same condition prevails in the Mankote block in which majority of the people have acquired education up to primary and upper primary while few percent have reached up to secondary and above. The reason behind this is that some of them are economically backwards some people seasonally migrate from one place to another with their whole family so they have lack of opportunities to get education.

Table 6: Block wise qualification of respondents

		Primary	Upper Primary	Secondary	Higher Secondary	Graduate	Other Degree	Total
Block	Mendhar	15 8.5%	11 28.2%	3 7.7%	7 17.9%	0 0.0%	3 7.7%	39 100.0%
	Mankote	12 57.1%	3 14.3%	3 14.3%	1 4.8%	2 9.5%	0 0.0%	21 100.0%
Total		26 45.0%	14 23.3%	6 10.0%	8 13.3%	2 3.3%	3 5.0%	60 100.0%

Source: Primary field survey of Poonch district J&K- 2017

Conclusion

Democratic decentralization had been documented as essential constituent of contemporary governance organism. On the whole of the countries of the world are at the present going through the procedure of decentralization and it has been develop into fashionable term within the contemporary world. It is at the present supported by the whole democratic philosopher that was decentralization is not there it should be incorporated in the political system. Approximately all the democracies in the world nowadays conduct elections towards the local governments. Democratic decentralization has been acknowledged as one of the instruments in determines conflict. Dissimilar countries of the globe irrespective of their political organization are expermentating decentralization in addition to it has developed addicted to an instrument of development and declaration of their conflict. Many factors are motivating decentralization something like the world conversely it is said so as to political apprehension is the foremost reason in enforcing decentralization approximately the world. World Bank as well as international monetary fund is the two agencies that are advocate decentralization amongst the countries. In Jammu and Kashmir Woman are the most vulnerable section due to violence caused by militancy and armed conflict. They are facing number of challenges related to health, economy, education and politics. But government need to empower grass root institutions and implement the 73rd amendment in letter and spirit. It is only because of this that adequate representation of all sections of people would be possible at the grass root level. In due course it would give confidence the estranged masses to come into the conventional of nation building and re-establish the real democracy. Panchayats are implementation on the principle of discrimination, party politics and favouritism whereas performance poverty alleviation programmes. The principle of accountability as well as transparency which is key designed for good governance is misplaced. Consequently, survey conducted in the district poonch panchayats are not empowered within the real sense. They are functioning because the agencies of centre as well as state government used for the implementation of centrally sponsored schemes. Individuals are not involved within the decision making process which is the central part of decentralization of power.

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