

Emerging Pattern of Women Representation in Jammu and Kashmir Panchayat Raj Institutions

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Abstract: *Women's representation in Panchayat Raj institutions in Jammu and Kashmir emerging from 2000 after a span of 23 years and out of total candidates only 2.46 % were women. But of the biggest setback I, e 73 rd and 74 th constitutional amendments have brought about a silent revolution by the provisions related to 33 % reservation for women in the institutions of local self government. In 2011 the state government of Jammu and Kashmir passed a law reserving one - third of seats for women in Panchayat , gross root administrative bodies in villages. According to the state records women succeed in gaining one - third of panch seats in 2011, but a female sarpanch is still rare only 3 women won out of 2125 sarpanch seats in Kashmir and 25 women won out of 1956 seats in Jammu.*

Introduction

The institutions of panchayat at village level existed since time immortal in India. Though the present system of panchayat has no direct connection with the system of rural self government which existed in the ancient and medieval times, much of its inspiration and faith people have in it today are derived from the panchayat system as it flourished in the past. The panchayat of today, a statutory and elected body, responsible for the development of the village was established in the country in the later part of 19th century. During British period, especially after lord Rippons resolution of 1882, both imperial interests and warmer impulses of liberalism lead to the introduction of local self government. But due to the half – hearted attempts much progress was not made. After independence, mainly influenced by guardian ideals, the framers of the constitution made a provision for the village panchayats in the directive principles of state policy upon. Article 40 call upon the state “to take steps to organize village panchayats and endow them with much power and authority as may be necessary to enable them to function as units of self government”. Thereafter many states have taken many steps to establish panchayats. The community development programme of 1952 and the emphasis laid on the role of panchayats in the first and second five year plans resulted in the emancipation of panchayats in the country. Balwant Rai Mehta study team recommendations and the subsequent establishment

of panchayati raj in 1959, completed the process of establishment of panchayats throughout the country. For about 13 years until 1977 panchayat raj was the whipping boy of all those who wanted to see it discredited. It became a veritable incarnation of evil in the village with state after state letting the organisations decay and fall by the wayside, perhaps an exception of sorts during this period were Maharashtra and Gujarat, where the panchayats survived.

The appointment of Ashok Mehta committee in 1977 marked a turning point in the fortunes of the system, both conceptually and in practice. West Bengal govt. took the initiative in 1978 to act on the recommendations of the Ashok Mehta committee and revamp the system in the state. Karnataka followed the west Bengal example and soon Andhra Pradesh also opened a new chapter and the breeze has started blowing from Kashmir. The latest in this effort to revitalize the panchayat raj system and make the local self government meaningful in the Jammu and Kashmir act 1989. The Balwant Rai Mehta committee made development central to the panchayat system, while the attempt in west Bengal, Karnataka, Andhra Pradesh and Jammu and Kashmir is to make panchayat raj genuine political institutions and thus the crux of self govt. with all its ramifications, a microcosm of the state itself.

Objectives.

1. To examine the rural women's representation in Jammu and Kashmir Panchayat raj institutions.
2. To analyze the trends in the adjustment of women in Jammu and Kashmir Panchayat raj institutions.
3. To evaluate the causes responsible for low level representation of women in Jammu and Kashmir Panchayat raj institution.

Jammu and Kashmir panchayat raj act 1989 and 1992

The Jammu and Kashmir panchayat raj act, 1989 was introduced in the J&K assembly in April 1988 and passed in March 1989. The governor gave his assent to the bill in July 1989. The act provides for a Halka panchayat. Each Halka panchayat shall comprise of such number of panches not less than seven and not more than eleven including the Sarpanch as the prescribed

authority may fix from time to time. The panches shall be elected from the constituencies delimited by the prescribed authority while the Naib-Sarpanch shall be elected by the panches of the Halka panchayat from among themselves, the Sarpanch shall be elected directly by the electorate of the Halka panchayat. The Halka panchayat shall continue to function for a period of five years from the date of its constitution. If it is dissolved for any reason before this period, elections will be held within six months. Sarpanch or Naib Sarpanch can be removed by a vote of no confidence by a majority of not less than 2/3ds of the total number of panches of the Halka panchayat. The act also provides for the formation of Panchayati Adalat as per of the provision of the act, the "Halka" means the area comprising a village or such contiguous number of villages as may be determined by govt. from time to time, provided that the Halka shall be determined in such a manner that the population of any Halka does not exceed 3000 in the hilly areas and 4500 in the plane areas.

Adalat shall comprise five members to be nominated by the government out of the panel prepared and recommended by the Halka panchayat out of its electorate. The person so recommended for a term of five years shall be literate or a panch and not be in the employment of the government or local body or corporation. The govt. is empowered to enhance the jurisdiction in civil cases up to Rs 2000 as per cabinet decision no. 40/03/ 2011 dated 09/02/2011 and cabinet decision number 170/21/2011 dated 21.09.2011 vide govt. order number 1126-GAD of 2011 dated 22/09/2011, the govt. of Jammu and Kashmir ordered the devolution of functions and activities to these institutions as specified in annexure i – xiv in the following order. This devolution of functions to three tiers will cover 14 departments of the state government including planning at the gross root level, supervision of activities and carrying out work program as per the recommendation of gram sabha. In addition the act also provides for a Panchayati Adalats for every Halqa. It was also mentioned that if the prescribed authority is of the opinion that women are not adequately represented in the Halqa Panchayat, it may nominate such number of women to be members. Thereof, as it may deem fit (provided further that their number does not exceed 33% of the total number of panchayat members). As far as SC/ST are concerned there were no such special provisions kept in the act.

The panchayat raj act, 1992 popularly known as 73rd amendment was enacted in the country to revitalize the panchayat raj institutions

besides providing for reservation to women and SC's/ST's. The provisions of 73rd amendment were not extended to the state owing to the special status of J&K under article 370. However some of its provisions were incorporated through amendments, in the Act. Still these provisions do not bring the state panchayat at par with the 73rd Amendment.

Women and SC's/St's represent sections that have not received support from the society in playing any form of leadership roles. In fact quite a few Dalit and women leaders were able to overcome the odds against them and have emerged as strong representatives of the village communities. The case of successful leaders have, however remained isolated incidents. There have been challenges before the elected representatives from the weaker sections. The first is the legal ambiguity in the powers and functions given to the panchayats as they have not been clearly defined in the state panchayat acts. The second is the caste and gender prejudices which keep the women/Sc's/ St's away from functioning effectively as members or chairpersons of these bodies.

Representation of Women in Panchayats of Jammu and Kashmir

Despite inhospitable security environment and desperate attempts from many to thwart the attempts of the government to hold panchayat elections, the State Government succeeded in conducting panchayat elections during the first quarter of 2001 after a very long gap of 23 years. The election in 2001 was conducted in phased manner. In 2001 The elections for 1230 Sarpanch and 10090 panch constituencies in Jammu Division and 1472 Sarpanch and 10469 panch constituencies in Kashmir division was conducted in a staggered electoral process by the State Election Authority on non-party basis and with a high degree of transparency, impartiality and fairness. Out of total candidates only 2.46% are women. In 2011 election for 1966 Sarpanch and 13760 panch constituencies in Jammu and 2164 Sarpanch 15959 panch constituencies in Kashmir division was conducted in a staggered electoral process by the State Election Authority on non-party basis and with a high degree of transparency, impartiality and fairness. In 2011 the state govt. of Jammu and Kashmir passed a law reserving one third of seats for women in panchayat, grass root administrative bodies in villages. According to state records women succeeded in gaining one third of panch seats in 2011, but a female Sarpanch is still rare, only 25 women won out of 1966 seats in Jammu and 25 women won out of 2164 Sarpanch seats in Jammu.

Table no 4.1 Information regarding Sarpanch & Panch Constituencies

Province	No. of Sarpanch Constituencies		No of Panch Constituencies		No. of Blocks		No. of Electors	
	2001	2011	2001	2011	2001	2011	2001	2011

Kashmir 147221641046915959 64 771859311 519024

Jam 1230 1966 1009 1376 57 66 1942 2549
mu 0 0 991 951

Tota 2702 4130 2055 2971 121 143 3802 5068
l 9 9 302 975

Source : Directorates of Rural Development, Srinagar/Jammu.

Table no 4.2 Information regarding panchayat elections in Jammu & Kashmir, 2001

District	No. of Blocks	No. of Panchayats	No. of Sarpanches elected	No. of Sarpanch vacancies	Total no. of Panches to be elected	No. of Panches elected	No. of Vacancies of Panches
Srinagar	04	93	67	26	666	247	419
Kupwara	09	224	168	56	1471	915	556
Baramulla	14	276	162	114	2148	902	1246
Leh	06	68	68	-	448	448	-
Kargil	07	65	65	-	453	453	-
Budgam	08	199	61	138	1444	315	1129
Anantnag	10	309	251	58	2242	1191	1051
Pulwama	06	236	202	34	1586	654	902
Total(Kashmir division)	64	1470	1044	426	10458	5155	5303
Jammu	11	295	294	01	2448	2443	05
Kathua	08	183	182	01	1394	1391	03
Poonch	05	115	115	-	1028	1026	02
Udhampur	12	215	212	03	1840	1792	48
Doda	14	262	216	46	2004	1698	306
Rajouri	7	160	160	-	1376	1364	12
Total(Jammu Division)	57	1230	1179	51	10090	9714	376

Source : Directorates of Rural Development, Srinagar/Jammu.

The analysis of table 4.2 reveals that there are 1470 panchayats in Kashmir division against 1230 in Jammu division. There are 952 panchayats of the total of 1470 in Kashmir division and 53 panchayats of 1230 in Jammu division, which are yet to be notified by the government. Similarly there are 426 Sarpanch vacancies in Kashmir division against 51 in Jammu division. More

interestingly, Kashmir division has 5303 Panch vacancies of the total 10458 against 376 of the total 10090 in Jammu division. As such it does not present an encouraging picture particularly for Kashmir division where more than 50 per cent Panch seats are vacant. The Jammu division seems to be much comfortably placed.

Table no 4.3 No. of Women Elected Panch & Sarpanch Seats Jammu and Kashmir Divisions 2001

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	1	42	Kupwara	-	02
Kathua	1	23	Baramulla	-	04
poonch	1	13	Budgam	-	02
Udhampur	3	38	Srinagar	-	01
Doda	1	26	Leh	-	36

Rajouri	0	24	Kargil	-	02
Total	7	166	Anantnag	02	24
			Pulwama	-	-
			Total	02	71

Source : Directorates of Rural Development, Srinagar/Jammu.

An analysis of the information given in table 4.3 in respect of Kashmir division reveals that the picture in respect of women candidates elected is quite dismal, ranging from 0.19% in respect of sarpanches to 1.37% in respect of panches. In Jammu division it is ranging from 0.5% in respect of Sarpanches to 1.70% in respect of panches.

Table 4.4 No. of Women Elected Panch & Sarpanch in Jammu and Kashmir Divisions(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
Kuthwa	04	562	Baramulla	02	714
Poonch	04	524	Budgam	-	686
Udhampur	05	548	Srinagar	-	25
Dooda	01	489	Leh	-	199
Rajoury	05	690	Kargil	-	204
Samba	01	260	Anantnag	-	673
Ramban	01	292	Pulwama	-	218
Kishtiwar	-	287	Bandipora	-	288
Reasi	02	354	Ganderbal	-	277
Total	25	4752	Shopian	01	177
			Kulgam	-	324
			Total	03	4319

Source : Directorates of Rural Development, Srinagar/Jammu.

Analysis of table 4.4 reveals that out of 4128 Sarpanch posts in the 22 districts of the state, only 28 women managed to win the elections with a dismal success rate of less than one percent (0.70%). According to data compiled by chief electoral officer of the state there is no women Sarpanch in 11 of the 22 districts as male candidates have won the elections for all the posts in these districts. Although there is no specific evidence the data also corroborates to some extent the preferences from males over females in Kashmir valley as shown in census 2011. Out of 10 districts in the valley, 8 districts do not have a single woman Sarpanch. Baramulla in north Kashmir and Shopian in south Kashmir have been the saving grace but the two districts have elected just 3 women as Sarpanches out of 453 posts. Surprisingly Leh district of the state were women are considered far more assertive than their counterparts. In other districts, has also failed to elect women Sarpanches. The only district in the Jammu division not to elect any women as Sarpanch is Kishtiwari. The remaining 9 districts of Jammu region have representation of women as sarpanches but again the percentage of winners is negligible.

Women participation in the panchayat elections started shaking up the political culture of the state panches and Sarpanches joined the fray and we found rural Kashmir undergoing a sort of renaissance. Women related issues are agitated at

the bottom level. The number of women panches and Sarpanches gives an idea about the evolving women friendly and emancipating panchayat politics in the state and its defined future. It is as yet premature to assess the extent to which power has been bestowed upon women through the panchayat raj institutions as not much power has been devolved to the Panchayats and only 0.70% women Sarpanches getting elected is an indicator of the nature of politics at grass root level. The empirical evidence also suggests that elected panch do not have sufficient education and understanding of working and functions of grass root level institutions. However one can not underestimate the impact of women's participation in the PRI's on politics, governance and delivery mechanisms.¹³ Many elected women do have an understanding of the issues related to women and general society and expectedly can play an important role in providing a gender perspective of grass roots planning and empowering institutions for women's folk.

Conclusion

Women constitute half of the total population, but like other states of India the position of women in the state of Jammu and Kashmir remained subordinate all over the state. Moreover the problem of women have been further enhanced due to age old political trauma in the state. However from the early decades of 20th century, women in the state of Jammu and Kashmir got conscious about

their subjugation due to emergence of political consciousness, expansion of modern education, spread of cultural awareness and deterioration of economic conditions. Women participated in socio-political movement in 1930's and in subsequent years there has been rising pattern of women representation in panchayat raj institutions, because of the biggest setback in the 73rd and 74th constitutional amendments have brought about a silent revolution by the provisions related to 33% reservation for women in the institutions of local self-government. In Jammu and Kashmir, panchayat elections were held in 2000 after a span of 23 years and out of total candidates only 2.46% were women. In 2011 the state government of Jammu and Kashmir passed a law reserving one-third of seats for women in panchayat, gross root administrative bodies in villages. According to state records women succeed in gaining one-third of panch seats in 2011, but a female sarpanch is still rare only 3 women won out of 2125 sarpanch seats in Kashmir and 25 won out of 1956 seats in Jammu.

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