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DECENTRALIZATION, EMPOWERMENT AND CONFLICT IN JAMMU AND KASHMIR

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with varying degrees of commitment functions and success. These processes help in transforming the institutional landscape and other political structures of these countries. They are also adding a new level of government at the local level, with elected local authorities, who are bound to operate close to citizens and are guided by law to provide a wide range of public goods and services. Democratic Decentralization is important. Because it brings two initiatives together in a mutually reinforcing manner i.e. decentralization of governance and developmental programs which are often civil society driven. The purpose of the decentralization has been evolved over a period of time, in the contemporary times, democratic decentralization is regarded as a meaningful authority devolved to the local units of governance that are accessible and accountable to the local population who are enjoying full political rights and liberty. It thus differs from the vast majority

ABSTRACT

We are living in the age of the decentralization and simultaneously it became a worldwide phenomenon and a key element of political and administrative reforms in many countries since 1980s. The democratic transitions during the last three decades and the global trend towards decentralization have provided unusual opportunities for democratic decentralization. In the contemporary times, decentralization has been regularly regarded as a solution to the major challenges of the governance in day to day administrative activities. Because it is widely believed that

decentralization will enhance accountability and responsiveness of the government to the citizen needs and will contribute towards the transparency of the government and dispersal of power among different social structures, which is highly monopolized by higher political structures at the present juncture.

KEYWORDS: decentralization and simultaneously ,democratic transitions, global trend .

INTRODUCTION

The large majority of the third world countries are currently involved in some process of decentralization,

of earlier efforts at decentralization in developing areas, which go back to the 1950s, and which were largely initiatives in public administration without any serious democratic component.

Decentralization is the transfer of tasks, competencies, resources and political decision making powers to the administrative bodies at middle (provinces, districts, regions) and lower levels (towns, municipalities and villages). It is the development of the reciprocal relationship between the central government and local governments and between local governments and citizens. Through the process of Democratic decentralization an important objective can be achieved, which can be helpful in promoting the political and economic development of the country, which is to increase the legitimacy, accountability and transparency of the political structures within the governmental organizations. This can be an effective tool for the governance because it brings two initiatives together in a mutually reinforcing manner i.e. decentralization of governance and developmental programs which are often civil society driven. In simple terms, decentralization is a prime mechanism through which democracy becomes truly participative and responsive. Decentralization, in short, can best be understood as a political process in the sense of devolution of resources, tasks and decision making powers to democratically elected lower level authorities, which are largely or wholly independent of the central government. Decentralization is a prime mechanism through which democracy becomes truly representative and responsive. Both the representative and participatory democracy can become possibly efficient through the process of democratic decentralization. It is an extension of the democratic principle aims at widening the area of people's participation, authority and autonomy through devolution of powers to people's representative organizations. There is a general view among the supporters of the democracy that by devolving power to the local level will increase accountability of the leaders and could help in eliminating the vestiges of authoritarianism. But only the elections at the local level will not be fruitful for the democratization of polity, it should be accompanied with the democratization of the political parties i.e. by giving more powers to the local leaders and to empower the community groups or civil society at the local level. On the other hand there are views from other scholarly world that decentralization will increase authoritarianism and can develop an elite culture at the local level through which these elites can become more powerful because their interests at the local level are more homogeneous and also the organizational and informal confronts are lower at the local level than at national level. Some scholars in the recent time like Jonatham Fox (1994) and others highlighted the point that decentralization might make it easier rather than harder for sub national leaders to defend nondemocratic practices that sustain their rule.

DECENTRALIZATION AND CONFLICT RESOLUTION

There has been a large scale secessionist movements and regional conflicts all over the developing and developed world in the last three or four decades. As a result of this underlying shift in the context of the silent security threats, Decentralized governance and authority has come to be a greater focus as a possible solution for the conflict and conflict mitigating forces. In the recent times there are many countries that have emerged or are trying to emerge from the periods of internal armed conflict and civil war, have turned to decentralization and related forms of institutional engineering in the hope that these changes can help to consolidate the peace.

There are various approaches around the scholarly world in peace research and conflict resolution, development studies and human security, which believe that decentralization and local governance can be used as a tool in the transformation of conflicts and the construction of lasting peace, particularly when decentralization is understood as a genuine devolution of power to non-central governmental institutions. This might be seen as the reason that over the last two decades, international organizations and the academic world have insisted on the benefits of decentralized governance. The fact that the unprecedented democratic expansions over the period have consistently contributing in the dramatic decline in armed conflict is again a highly relevant to this discussion of decentralization. The proponents of decentralization advocated that it helps in mitigating civil conflict by facilitating the dispersal of power from the centre to the periphery and thus builds additional checks and balances into a political structure while attempting to establish a more stable political equilibrium between the centre and periphery. There is also a wider belief that spreading power among a wider array of actors will provide them greater incentives to participate and cooperate, helping to reduce grievances, moderate extremist or violent positions, and incorporate them into the political process. In this way, it can be said

that decentralization can build a national dialogue, cohesion, and state legislation.

Democratic Decentralization resulted in the greater popular participation at the local level, which is also regarded as the community felt to foster political stability. It is obvious from the fact that if the citizens from time to time believe that government is concerned about and responsive to their needs, then there are little chances for the armed struggle. There are skeptics of decentralization, on the other hand, who believed that the decentralization will enhance the risk of ethnic and civil strife. According to them, the weak central government will enhance ever greater demands for autonomy and can build the centrifugal pressures on the state. However, there is not so much agreement on this belief and the critics argued if it could have been so, that is raising the risk of conflict the current enthusiasm for this governance reform could have destabilizing effects and not have been put forward as a solution to the day to day governance challenges all over the world. From the above discussion it can be said that the stability and accountability of the political structures can be achieved only when these political offices will function as transparent and responsive institutions and this will become reality only through the process of successful decentralization. This in turn will contribute to develop the citizens confidence on these structures and can help in mitigating the conflicting situation of greater autonomies from various regions and groups of population from time to time by getting more role in the decision making process and a vital share of resources.

DECENTRALIZATION IN JAMMU AND KASHMIR

Democratic decentralization in India received a significant impetus with the establishment of the local self- government or PanchayatiRaj institutions all over the country. In the post-independence period, great emphasis was laid on revamping and restructuring of Panchayats to enable them to play an effective role in the development programmes of the state. After independence, the Constitution of India envisaged organization of village panchayats with such powers and authority as may be necessary to enable them to function as units of local self-government (Art. 40). Consequently, most of the states adopted the PanchayatRaj Acts and Panchayat Raj Institutions were constituted but they could not live up to expectations. Grassroots governance has been a major concern for the planning process in India ever since independence. It is because of this reason that various committees like Balwant Rai Mehta Committee, Ashok Mehta Committee were established and also the introduction of the PanchayatiRaj in 1959. But this spirit of Democratic Decentralization that evolved was practiced only in a limited way. It was realized that developmental efforts in India did not address the issues of equity and to the development of the poor. Therefore, there was a need to redirect development efforts towards the poor and those at the grassroots. It was in this direction that the 73rd and 74th constitutional amendments have been passed in 1992 by the Narsimah Rao government, which came into force on April 24, 1993. These Acts were meant to provide constitutional sanction to establish "democracy at the grassroots level as it is at the state level or national level". The 73rd Constitutional Amendment Act relates to introduce reforms in rural local bodies whereas the 74th Constitutional Amendment Act relates to bring reforms in urban local bodies. These Amendments have accorded constitutional recognition to rural and urban local bodies. The Acts aims at integrating the concept of people's participation in a formal way with the planning process on the one hand and the devolution of responsibility to the people themselves on the other. These Acts have addressed the persistent problems of irregular elections, suppression, inadequate representation, insufficient devolution of powers, lack of administrative and financial autonomy, and inadequate resources.

In Jammu and Kashmir, the political commitment to the concept of decentralization is not an innovation or a new idea. As in the rest of the country, panchayats existed in j and k state. They were comprised of the lower levels functions of the Maharaja, zaildars, numberdars, village heads, landlords and other influential people in the rural areas. The function of these panchayats was to settle the petty disputes in the villages. But these institutions were manipulated by autocratic rulers and their collaborators for their own ends. The introduction of the local self-government in Jammu And Kashmir State commences with the promulgation of the j and k Panchayat Regulation no. 1 by the Maharaja of the state in 1935 and in 1936 a special Department of Panchayat and Rural Development was created to administer the 1935 regulation. The main function of this department was to supervise the functioning of the Panchayats apart from providing necessary funds. The preamble of the Act laid down: "whereas it is expedient to establish in j and k state the village panchayats to assist in the administration of

civil and criminal justice and also to manage the sanitation and other common concerns of the village.” It is clear from the preamble that the essence behind the promulgation of Panchayat Act was not to promote local self-government but to use the Panchayats primarily as a delivery arm of the government for civil administration and criminal justice. The Act of 1935 was amended in 1941 and was considered as an improvement in the earlier legislation. The highlights of this Act were the disqualification of a person to be elected as a Panch in case he was a whole time government servant, or declared an insolvent by a competent court, or if he have been convicted of any offence or subjected to any punishment by a criminal court as would disqualify him in the opinion of the Panchayat officer from seeking election to a villages. The act also transferred all the village public roads, all movable and immovable property to the Panchayats along with other structures as the property of the concerned village Panchayat. Elementary and adult education also remained concern of village Panchayats. The act further provided for delegation of any power or functions except judicial functions, to any of its members and assigned any administrative functions to them. A joint committee of various Panchayats could undertake more than one matter. The concept of the local self-government also finds a prominent place in the manifesto and the policy outline of the National Conference Party when Sheikh Abdullah launches the slogan of “Naya Kashmir” in 1944. He in his speech argued that “the All Jammu and Kashmir National Conference consider the ‘Naya Kashmir’ programme as a blueprint for the future political and economic setup in the state. We have formulated this programme with the objective, from a political angle, it aims at achieving the responsible government based on the democratic principles. All institutions of democracy from Panchayats to the National Assembly will be constituted through due process of election. Independent judicial system shall be an important component of the system and the executive shall be made accountable to the people”.

In the post-independence period, land to the tiller, as envisaged in the ‘Naya Kashmir’ programme of the National Conference, was a watershed in the history of Jammu and Kashmir. This changed the whole socio-political and economic landscape of Kashmir. In this backdrop, there was a great opportunity for the PanchayatiRaj system to play its role effectively and meaningfully. It was believed that Panchayats could oversee the developmental aspect of rural areas through a democratic process at the grassroots level. But, this remains a distant dream and did not happen over the decades. However, after the dismissal of the sheikh Abdullah government and his subsequent arrest changed the whole scenario in Jammu and Kashmir. So, there began in the post-1953 era a continuous phase of undermining democracy and subverting of democratic institutions in the state. Under these circumstances it was futile to expect democracy to function at the grassroots level, i.e., the Panchayats. In a bid to express solidarity with the ruling elite at the centre, because of the concern to rejuvenate PanchayatRaj system at the national level, through the directional thrust of Balwant Rai Mehta Committee rather than developing any genuine concern for implementing PanchayatRaj, the state government passed the j and k village Panchayat Act, 1958, “to make better provisions for the administration of village Panchayats in the Jammu and Kashmir state.” The powers and functions of the Panchayats by and large remained same as it was in 1941 act. However, the tactics of manipulating Panchayats changed with the circumstances. During the autocratic rule of the Maharaja, the Panchayats were manipulating by laying down the ‘special qualifications’ for the voters as well as officers to be elected to run the Panchayats. Under the PanchayatRaj act of 1958, any ‘Panch’, ‘Sarpanch’ or ‘Naibsarpanch’ could be removed from office in case his conduct in office was ‘undesirable’ or “his removal was desirable in the interest of the public”. The 1958 Act provided for a two-tier PanchayatRaj system- Halqa Panchayats at the village level and Block Panchayat Boards at block level. The Act also provided for the establishment of Panchayati Adalats to decentralize the administration of justice. The manner or number of elections and nominations, respectively, was not provided under this Act. The popular government under Sheikh Abdullah, in 1977, another policy related to Decentralization was introduced, the Single Line Administration with the objective of securing a mechanism for developing the planning process at the district level and to take complete account of resource endowment. “The twin objectives of the Single Line Administration were to secure a mechanism for developing the planning process at the district level to take full account of the resource endowments the potentialities and needs structure and also to initiate a process of equitable development of various areas within the district” .However, in spite of all these efforts, the Panchayats could not be reinvigorated and remained without any linkages to other institutional framework. It is in this backdrop of PanchayatiRaj in the state that the j and k PanchayatRaj Act 1989 appeared on the socio-political scenario, raising new hopes for the

participation of people in the economic and democratic process at the grassroots level.

J AND K PANCHAYAT RAJ ACT 1989

As a sequel to the efforts to revive the democratic process at the grassroots level, the Jammu and Kashmir Village Panchayat Act, 1958 was replaced by the Jammu and Kashmir PanchayatRaj Act, 1989. The enactment of the PanchayatRaj Act of 1989 was also a result of the situation of that time in the state, which takes shape in the violent conflict between the state on the one hand and central government on the other hand and the emergence of the militancy in the state and also because of the failure and flawed elections of 1987. As highlighted by the BalrajPuri, “the thrust of the case for PanchayatRaj elsewhere, for instance is on the devolution of power and providing a sense of participation of the people, in Jammu and Kashmir State it has all along been conceived as an instrument of accommodating its wider diversities”.

The j and k PanchayatRaj Act, 1989, aims at introducing the PanchayatRaj system in a very effective way in the state of Jammu and Kashmir. The preamble of the Act of 1989 states that, “whereas it is expedient to promote and develop PanchayatiRaj in the state as an instrument of the vigorous local self-government to secure effective participation of the people in the decision making process and for over-seeing implementation of developmental programmes”. The act, according to the preamble, proposes that the state usher in a second era of socio-political revolution; the first one being the agrarian reforms of 1947, which gave land to the tiller. The act envisages avenues of people’s participation in the decision making and decision-implementing process. It proposes to involve the common people in policy planning and thereby ensuring their participation in the socio-political process at the grassroots level. The rationale of the act, as provided in the statement of the objective, is “to promote and develop PanchayatiRaj in the state as an instrument of the vigorous local self-government to secure the effective participation of the people in the implementation of these programmes. The Act also provides for the establishment and constitution of the following authorities:

1. Halqa Panchayats;
2. Block Development Councils;
3. District Planning and Development Boards;
4. Panchayat Adalats.

The salient features of the J and K Panchayati Raj Act, 1989 are as follows:

- 1.The Act proposed the three-tier Panchayati Raj system in state.
- 2.The Act also proposed for the reduction of the voting age from 21 to 18 years.
- 3.Halqa Majilis for every Halqa Panchayat comprising of all the persons whose names are included in the electoral roll for such Halqa Panchayat.
- 4.The Act also made the provision for the direct election of Sarpanch (chairperson of Halqa Panchayat).
- 5.Re-organization of the Panchayati Adalats, consisting of five persons who will be nominated by the government out of panel recommended by the Halqa Panchayat.
- 6.Holding of elections within six months of suppression of Panchayat.
- 7.Empowering Panchayats to prepare plans and implement schemes for poverty alleviation and employment generation, rural industrialization, agriculture and allied activities, health, universalization of elementary education etc.
- 8.The Act does not provide any bar on holding elections on party-lines.
- 9.Representation to women and other weaker sections in Panchayats to be nominated by the government.
- 10.Government may supersede such a Halqa Panchayat which is incompetent or persistently makes default in the performance of duties imposed on it by or under the Act.
- 11.The District Development Commissioner shall be the Chief Executive of the District Planning and Development Board.
- 12.The Chairperson of the District Planning and Development Board shall be nominated by the government.

However, the state framed ‘The Jammu and Kashmir Panchayat Rules - 1996, based on its own PanchayatiRaj Act of 1989. As J&K has been passing through turmoil since 1989, the progress on establishment of

panchayats was adversely affected. After that various Acts have been enacted in 2004 like reservation for SCs, STs and women and the establishment of the institutions of State Election Commission and State Finance Commission. Finally, in a positive development, the elections to the village panchayats were conducted successfully in 2011.

73rd Amendment and Jammu & Kashmir PanchayatRaj

There was a large distinction between the 73rd Constitutional Amendment Act and J & K PanchayatiRaj Act 1989, as the State Act was not in a true sense a decentralized one as compared to the Central Act. But from the last decade most of the provisions of the Act were accepted by the State legislature and limited the distinction between the two Acts. Both the Central Legislation and State Act provided for a three-tier system at Village, Block and District levels. Whereas the Central Legislation provides scope for direct elections at all levels, the State Act restricts provisions of direct election to Halqa Panchayats only. It is in this view that Jammu and Kashmir PanchayatiRaj Institutions has been referred by scholars, like Rekha Choudhary, are suffering both from the Structural as well as Operational Weakness.

Structurally the PanchayatRaj Act 1989, despite the recent Amendments including the 2004 Amendment in relation to reservation of seats for the Women, SCs and STs; 2011 amendment to provide for the State Election Commission and an Act passed in relation for the establishment of State Finance Commission, remains flawed and does not serve the purpose of making the Panchayats the units of Self-Governance. Unlike the 73rd Constitutional Amendment Act of the Indian Constitution, the PanchayatRaj Institutions as per the State Act are not democratically structured at all three levels. In the J & K State, the principle of direct elections of Panchayats is applied only at the village level, neither the Block level Panchayat nor the District level Panchayat is comprised the members who are directly elected representatives of the people. It is only the Chairman of the Block Development Council who is elected but the process of election is not direct but indirect. The Electoral College for this election is comprised of the Panches and Sarpanches within the Block. Similarly there is no provision for direct election in the District Planning and Development Board. It is only the Vice Chairperson of the Board who is elected and that too also with indirect election. The Electoral College for this election is comprised of the members of the Board itself. The Chairman of the Board is nominated by the government and thus hinders the basic value of the democratic institutions. The democratic structuring at all three levels is hampering by the presence of the government officials. The Secretary Panchayat at all three levels is a government official, the Gram Sevak at the level of the Halqa Panchayat, the Block Development Officer at the Block Development Council Level and the Deputy Commissioner at the level of District Planning and Development Board.

While the state of J&K is moving ahead with the PanchayatiRaj provisions of the Act passed in the state legislature, it has not accepted the 73rd Amendment passed by the Indian Parliament on the grounds that it violates Article 370 of the Constitution of India. Article 370 grants special status to Jammu and Kashmir, and specifies that except for Defense, Foreign Affairs and Communications, the Indian Parliament required the State Government's concurrence for applying all other laws to the state of J&K. The state government has not accorded concurrence to make the 73rd Amendment applicable to the state citing provisions of Article 370. However, the state government had no hesitation in extending the "National Rural Employment Guarantee Act (NREGA)" to J&K, as it is populist measure. But there remains a marked reservation in implementing the 73rd Amendment as political parties in J&K, do not want to give more powers to Panchayats as incorporating all the features of the 73rd amendment would make them independent with respect to planning and execution of development works and utilization of funds. The Chief Minister has accepted the fact that devolution of power to the panchayats had not gone down well with a section of politicians and bureaucrats. Further, the two partners in the ruling coalition government in the state have taken opposing stands with the national party favoring implementation of the 73rd Amendment and the regional party opposing it. The main opposition party in the state has now announced its decision to introduce an amendment to the State PanchayatiRaj Act 1989 in the state assembly incorporating the provisions of the 73rd Amendment. The Congress party believes that these Amendments can grant Constitutional status to elected rural local bodies, give them necessary powers and will provide direct elections to all seats. The Jammu and Kashmir PanchayatiRaj Act does not accept the jurisdiction of the union election commission nor that of the CAG of India for the audit of the panchayat accounts, as the 73rd amendment to the constitution proposes

to do for other states.

However, in February, 2014, state cabinet have approved extension of the provisions of 73rd constitutional amendment to the state for “empowering PanchayatiRaj institutions,” fulfilling the long-pending demand of Congress. Congress and the opposition BJP in the past had been demanding inclusion of 73rd Amendment which would give decision making and financial powers to Panchayats. It gives panchayats autonomy in planning and execution of development work and utilization of funds. The demand was fueled after Panchayat elections were successfully conducted in the state in 2011 after three decades. The government’s official spokesman said in a major decision, the cabinet approved amendments to various sections of the PanchayatRaj Act to accommodate various demands within the overall framework of the J & K PanchayatRaj Act 1989. “The amendments provide for the Election of Chairman and Vice Chairman of a District Planning and Development Board by the members of the Board from among themselves. The amendments also provide for the Chairman of a Block Development Council to be elected by the Sarpanchs and Panchs of the concerned block from among themselves,” the spokesman said. “It also provides for reservation in respect of the SC and ST categories to the extent of their population in specific constituency and to the extent of 33% for women. The amendment also provides for reduction in the age of candidates for contesting elections for the positions of Panchs and Sarpanchs from 25 to 21 years. The Cabinet also approved the Jammu and Kashmir Ombudsman for Panchayats Bill, 2014 for introduction in the State Legislature during the ensuing session.

DECENTRALISATION AND COMBATING VIOLENCE IN JAMMU AND KASHMIR

The conflict in Kashmir is now six decades old and has changed its form from the direct confrontation between India and Pakistan to the conflict between the People of the Kashmir on the one hand and the Indian government and security forces on the other hand. The conflict is persistent and is often viewed by the political commentators and other social activists because of the apathy of the Kashmir people on the state institutions and the lack of political and participatory empowerment of the local population in the mainstream politics. The other reasons which were sighted for this persistent conflict was the lack of developmental process in the rural areas of Kashmir and the absence of the local people from the decision making process at various levels of the governmental structure. All these factors led to the isolation of the Kashmir people from the mainstream political activities which resulted in the lack of trust on the government institutions and its machinery.

A report titled “Kashmir: Path to peace” released in London in May 2010 has largely escaped media attention in India and Pakistan. The report is based on an opinion poll conducted in Jammu and Kashmir (J&K) state and ‘Azad Jammu and Kashmir (AJK)’ - a part of Pakistan Occupied Kashmir. The sample size of the population interviewed is 2374 and 1400 respectively for J&K and ‘AJK’. The report throws some interesting statistics in terms of the future of the state as well as the internal dimension of the problem. Three factors in this survey are instructive. First the governance aspect, second India-Pakistan relations and the Kashmir issue, and the third pertains to the dynamics of the Line of Control (Loc) and cross Loc confidence building measures in Kashmir. On governance issues, the people surveyed consider unemployment a major problem, followed by corruption, poor economic development and human rights abuses. The Kashmir conflict itself is considered not a problem in relative terms. For example 36 per cent in J&K felt that the conflict is a problem. Compared to this, 87 per cent in J&K think unemployment is the biggest problem. According to the Department of Economics and Statistics of the Government of J&K, the unemployment rate among educated people in the state increased from 8.2 per cent in 1999-2000 to 9.0 per cent in 2004-05. However, the unemployment rate among the youth improved from 17.1 per cent in 1999-2000 to 14.7 per cent in 2004-05. The Education survey of 2008 reveals that the literacy rate is 64.18 per cent.

The conflict of the Kashmir is mostly viewed as the denial of the autonomy to the people of Kashmir. Therefore, the introduction of the local governance institutions was viewed as the positive step in the direction of giving autonomy to the people of Kashmir. It was viewed by the academicians and other political figures that in the past lack of experience in grassroots democracy have led to the J & K state and bureaucracy being alienated from the people of state all through these years. Therefore, the Strengthening of the PanchayatRaj Institutions will not only lead to effective governance but also to greater development and a better integration of the people within the state as well as with the Indian union. These institutions were act as a paradigm shift in governance in India

and also in Kashmir. With millions of elected local representatives, PanchayatiRaj has increased the democratic density in Kashmir. This system has provided space for inclusion of excluded communities in overall decision making process. The holding of the Panchayat polls in 2011 reinvigorated the political climate at the grassroots in the state. It had created new strata of local leadership which became the stakeholder in the political system. Keeping this view into consideration, the 2011 Panchayat elections were directly related by the political commentators, journalists and intellectuals based in New Delhi with the Kashmir issue and were seen as an important step for the better integration of the state with the Indian union. This election which comprised of the 80% of the total voter turnout was portrayed through the media as a clear vote of Kashmir’s, who have resolved that J & K is now an integral part of India. But this view was contested by many leaders and scholars in the Valley, and argued that it was due to the lack of development at grassroots level that people had no other option but to vote for change and a new system of government. Further they argued that Panchayat polls and Participation is not a substitute to overall settlement of political issue of Kashmir. Despite Panchayat polls, Kashmir continues to remain a dispute, it should be addressed politically. A survey has been done by the Researcher in relation to the holding of Panchayat elections and change in the perception of people towards Central and State governments and also in relation, whether these elections or the establishment of these local institutions help in reducing the conflict. In order to make the study comparative three Halqa Panchayats have been selected in Block Kulgam. The three Halqas have been selected on the basis of the presence of the intensity of conflict in these areas. The Laroo Halqa Panchayat is less prone to the conflict than other two whereas Bugam Halqa Panchayat can be categorized as a medium level of conflict. The third Halqa Panchayat namely Nillow is more prone to conflict as compared to other two. General response of the people and the members of the PanchayatiRaj Institutions are discussed as follows:

Table 1

Halqa Panchayats	Response of General Public				Response of Members or Representatives of Panchayats			
	Change in Perception		Helpful in Reduction of Conflict		Change in Perception		Helpful in Reduction of Conflict	
	YES	NO	YES	NO	YES	NO	YES	NO
Laroo	55%	35%	62%	30%	72%	22%	69%	25%
Bugam	52%	40%	49%	42%	63%	28%	64%	26%
Nillow	45%	47%	42%	51%	51%	41%	53%	39%

The above table depicts that in Halqa Laroo the 55% of the respondents from the general public believe that the establishment of these Institutions can help in changing the perception of the people towards the Indian state and State government and 35% believe it will not change the people’s perception, while the rest of the respondents did not answer the questions or said they don’t know. Similarly in this Panchayat 62% believed that it can reduce the conflict and 30% believed negatively. The respondents who saw these institutions as positive development mainly highlighted the role of these institutions in the empowerment of the local people and other developmental and employment opportunities, which can be generated through these institutions. In the same Halqa Panchayats the representatives of these institutions responded more in a positive way as compared to the general public as 72% and 69% respondents from amongst the members believed that the existence of the local institutions can change the perception of the people and can reduce the conflict in the valley respectively. While as in other two block Panchayats, the respondents from the general public in relation to the establishment of PanchayatRaj Institutions and change in the perception of the general public and reduction of the conflict is negative. This can be seen because of the persistence of conflict in these areas and, as highlighted by one of the representative of Panchayat, the fear which is present there in the minds of people. It can also be concluded from the above table that the people are apprehensive about the view that whether these institutions can be proved as essential instrument in reducing the conflict or changing the perception of the people. But it can be assumed here

that these institutions are very new to this generation of people and can change their attitude in future with the proceedings and working of these institutions in a rightful way.

CONCLUSION

Against the backdrop of the preceding analysis, it is observed that the decentralization of powers and resources to the local population is helpful in reducing the grievances on the part of people towards government and ultimately an important instrument of peace building measures and conflict reduction. The Decentralized governance and authority has come to be a greater focus as a possible solution for the conflict ridden areas and conflict mitigating forces. The process of Democratic Decentralization has also contributed to the political stability in many countries through its process of greater popular participation at the local level. Through the Decentralized governance, it is believed that the government will become concerned and responsive to the people's needs that will create little chances for the armed struggle. The decentralization and other such related institutional forms has come as a hope for consolidating the peace for the countries, which have emerged from the periods of internal armed conflict and civil war. India is no exception to all this, there have been efforts on the part of the government to decentralize the administrative functions and to usher a grassroots democracy. With regard to this Administrative Reforms Commission was very much committed to provide more autonomy to the local institutions and they should be free from the state government's bureaucratic control. It was also suggested that due to the diversity of the country it is important that the groups, who are marginalized and have been alienated from the mainstream development of the country, should be given adequate measures and opportunities for their development. This became possible through the establishment of local institutions by which these groups can feel a sense of empowerment and can contribute for their own development and the development of the nation.

The reforms in the governance structure are considered as an important step in reducing the conflict. One such reform, as also highlighted by the most social and political experts, is providing more autonomy at domestic and grassroots levels. This autonomy can be achieved only by establishing the effective political institutions at the local level especially, the PanchayatiRaj Institutions. The establishment of these institutions will reduce the feeling of marginalization among the local people and can give them a sense of ownership over local resources and developmental activities. It is highly believed that when the people will believe that government is concerned and responsive to their needs, which can be achieved through the direct connection with the people through local institutions, and then there are little chances that people will go against the State or Central government.

In this paper, the main focus has been put on the role of PanchayatRaj Institutions in Kashmir in the changing perception of the people towards the Indian state and state government. It focuses on how the empowerment of the people in Jammu and Kashmir, which they got through the PanchayatRaj Institutions, can end the alienation of the people of Kashmir and hence can prove an effective tool for resolving the conflict in the Kashmir valley. Taking these things into consideration, the PanchayatiRaj Institutions have been established in the Jammu and Kashmir state, in order to give autonomy to the local people and to empower them and to reduce their alienation from the mainstream Indian and state politics. PanchayatiRaj Institutions have been in existence there in the state from the past, but they were mainly instruments of rulers to collect revenue and to deepen their control at the local level through their obedient agents. After India's independence these institutions were established as to deepen the democratic process and to bring the local population into the mainstream in order to end their alienation and isolation. These institutions were viewed as a mechanism to reduce the conflict and to change the perception of the people particularly after the insurgency and militancy in Kashmir in post 1990 Period. The PanchayatiRaj Institutions in the state are mainly functions according to the Jammu and Kashmir PanchayatiRaj Act 1989; however, over a period of time various amendments have been made in the Act for the smooth functioning and to work as proper local government institutions. It was in this backdrop that the Panchayati elections of 2011 were held and seen as a gateway for the establishment of local self-government and breakthrough for the conflicting situation in Kashmir valley. Earlier the elections were held in 2001 but they were not fruitful as majority of the people in the valley did not participate in these elections due to the terrorist threats and the result was the absence of local democracy in many parts in the state. But against this, the 2011 elections in which the voter turnout was more than 80% considered as the first real Panchayati election in the state and were

seen as a hope of peace both by the people and leaders and a step in the process for the better integration of the people in the state towards the Indian state.

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 10. Halqa means the area comprising of a village or such contiguous number of villages as may be determined by the government from time to time.

11. Block means the area comprising such contiguous number of halqas as may be determined by the government from time to time.
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