



PARTICIPATION OF WOMEN IN PANCHAYAT RAJ INSTITUTIONS IN JAMMU AND KASHMIR

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Abstract

Participation has been taken as a vital index for the women members to assess their empowerment in panchayat raj institutions. According to the 73rd Amendment (part IX), a Gram Sabha may exercise powers and perform functions at the village level as provided by laws enacted by its state legislature. Reservation of women in panchayat Raj bodies has acted as a catalyst in the process of women's political empowerment. In order to further hasten this social change, the women reservation bill must become a law without being diluted. Also, the onus is on political parties who must voluntarily integrate more women in the political process whether as candidates or as voters. The present paper concentrates to know the extent of participation of women representatives in panchayat and the problems faced by them.

Keywords: *Women Participation, Panchayat Raj, 73rd Amendment, Jammu and Kashmir.*

Introduction

In a country like India, where social orientation is based on caste, class and gender, the picture of deprivation and inequality is appalling. The women are not considered as a social group. They are either included with men or totally ignored. In post-independent India, the Sarada Act provided an impetus to the battle for the rights of women. The passing of the Hindu cod bill, 1955 and the provision of equal rights for women in the constitution of India improved the status of the women. In June 1954, the first post war all India organization of women, the National Federation of India women was formed in view of impending socio-political issues. Later the 73rd Constitutional Amendment Act 1992 created space for women in political participation and decision making at the grass root level by providing that 1/3rd of the seats would be reserved for women all over the country. The 73rd Constitutional Amendment Act, 1992 says, "It provides reservations for women on panchayat raj institutions set up in two ways, for the office of the members and for that of the chairpersons." As per the clause 2 & 3 of article 243 (d), not less than one third of the seats meant for direct election of members at each tier of the panchayats are to be reserved for the women.

Panchayat Raj System in India

The Panchayat Raj in India generally refers to the system introduced by constitution Amendment in 1992, although it is based upon the traditional panchayat system of South Asia. The modern Panchayati Raj and its Gram panchayats are not to be confused with the extra- constitutional khap panchayats (or caste panchayats) found in northern India. The panchayat raj system was formalized in 1992, following a study conducted by a number of Indian committees of various ways of implementing more decentralized administration.

In establishing Panchayats most state government apprehend the provision of co-option of two women in case no women could come through direct elections. Prevalent practice during 1960's and 1970's was the co-option of two women at best for each PR body, as women could not come through direct elections, even though the requirement of co-option of women was not followed uniformly for all PR bodies and in every state, for instance Uttar Pradesh Jammu and Kashmir, did not follow the scheme (Institute of Social Studies Trust 1995).

From the outset, women's involvement in PRIs was dominated by two inter-related themes: representation of women in these bodies and effectiveness and outcome of their participation. Co-option of few women was the only available option for women to participate and it was a travesty for it could not produce the desired and verify no results at all. The co-option method, of course provided one convenient scope for the dominant caste/class leaders to install their family women such as wife; mother as their yoke and the very purpose of the policy was led to fall flat.

The panchayat raj now functions as a system of governance in which gram panchayats are the basic units of local administration. The system has three levels: Gram Panchayat (Village level), Mandal Parishad or Block Samiti or Panchayat Samiti (Block level) and Zila Parishad (District level). It was formalized in 1992 by the 73rd Amendment to the Indian Constitution.

The panchayats receive funds from three sources:

1. Local body grants as recommended by the central finance commission.
2. Funds for implementation of centrally sponsored schemes.
3. Funds released by the state governments on the recommendations of the state finance commission.



Powers and Responsibilities are delegated to panchayats at the appropriate level.

- Preparation of the economic development plan and social justice plan.
- Implementation of schemes for economic development and social justice in relation to 29 subjects given in the eleventh schedule of the constitution.
- To levy and collect appropriate taxes, duties, tolls and fees.

Functions

- Implementation of schemes for the development of agriculture and infrastructure.
- Establishment of primary health centres and primary schools.
- Supply of drinking water, drainage and construction / repair of roads.
- Development of a cottage and small scale industries and the opening of cooperative societies.
- Establishment of youth organizations.

Panchayat Raj System in Jammu & Kashmir

In Jammu and Kashmir, the roots of panchayat raj were planted by Maharaja Hari Singh in 1935 by promulgation of the Jammu & Kashmir village panchayat regulation No. 1. A special department of panchayats and rural development was created in 1936 to administer the 1941, the list of functions of the 1935 regulation were widened. By an act of 1951. The Panchayati raj institutions was adopted to be reestablished. The Jammu & Kashmir government thereafter enacted the village Panchayati act in 1958 replacing the 1951 Act and in 1989, the in force Jammu & Kashmir Panchayat Raj Act came into existence. This Act provides for a 3 tier Panchayati raj institution system which are called Halqa Panchayat Block Development Council, District Planning and Development Board for the Village Block and District level respectively. Each Halqa panchayat comprises of 7 to 11 panches and a sarpanch, as the prescribed authority may from time to time fix in this behalf:

“Provided that if the prescribed authority is of the opinion that women are not adequately represented in the Halqa panchayat, it may nominated such member of women to be members thereof, as it may deem fit”.

“Provided further that the number of women members to be nominated as such shall not exceed 33% of the total number of elected panches”.

“Provided also that while making nomination the composition of the Halqa panchayat with reference to representation of scheduled caste, scheduled tribe and other weaker sections shall be given due consideration”.

Recently in 2011 panchayat election were held in Jammu and Kashmir after 23 years at all the three levels viz. village, block and district level. The government of Jammu and Kashmir ordered the devolution of functions and activities to these institutions as specified in annexures I & XIV has specified the devolution of functions and activities to these institutions in respect of 14 departments. The Panchayati election was held in 16 rounds from April to June 2011. The panchayat elections were quite vibrant compared to the last panchayat elections which were held in 2001, these were much more meaningful and participatory. The number of sarpanchs and panchs in the state were 4,130 and 29,719 respectively, out of which 9424 were women, with state level average voter turnout of about 77.77%. All sarpanchs and panchs were duly elected in accordance with the provision of Jammu and Kashmir panchayat raj Act 1989. The young people and women were quite involved in the electoral process with many of them joining the election fray as the candidates for panch and sarpanch constituencies. This election shows the positive impact on women and youth in political participation at grass root level. The panchayats are expected to play an important role in rural development of Jammu and Kashmir, particularly after 2011. It was the great achievement of National Conference government to make the Panchayati Raj elections possible as the condition were not favorable in Jammu and Kashmir.

Women Participation in Panchayat Raj

In particular, unless specific conditions are met, women face multiple obstacles and find it hard to participate in the political process that has up till now been a male stronghold. The reasons for this are gender specific. Generally, in our country women are less mobile than men are. They have domestic responsibilities, which puts limits on the time they can spend in such processes. Recognizing the numerous limitations where gender is concerned and by which women are prevented from coming to the forefront, India has passed laws that make it mandatory for local governments to include women. One third of the seats in local bodies, that is gram or village panchayats, municipalities, city corporations and district bodies are reserved for women. This means the contests can only be between women in these constituencies. Thus, the first step in enabling



women to participate has been taken. This reservation of seats, in the 1993-94 elections, has brought in about 800,000 women into the political process in a single election. When women succeed in defeating heavy odds to achieve good results in panchayats and also face vested interests with bravery, it has a commendable impact on a large number of other women. They also want to come forward to participate more actively in village affairs and contribute to the welfare of the community. Thus it is in the interests of not just women but the entire village community to encourage the further empowerment of women in village affairs.

Political status of women implies a degree of equality and freedom enjoyed by women in sharing of power and importance given by the society to the role of women in the political system. The equality and active political participation are inseparable. Participation of women in political arena is integral to the advancement of women. Their political participation means not only using the right to vote, but also power-sharing, co-decision-making, and co-policy-making at all levels of governance of the State. Women's equal status in every sphere is inextricably linked to country's progress and development.

Obstacles in the way of women's participation

- Caste, class and gender hierarchies
- Apathy of women towards politics
- Low level of education and sociocultural norms
- Conservative attitude of family members and the system of patriarchy
- Poverty and lack of financial control

Conclusion

In conclusion, we must note that participation and representation is clearly different from empowerment. An elected women representative needs the requisite social space in order to effect the changes that she desires. Women have been confined to kitchen, agriculture fields since ages. For empowering the women, we need to think about a workable solution through panchayat system which actually needs conviction, dedication and determination to face all kind of obstacles and hindrances present in the society there are several challenges still that the women are facing in the local governance system. Rural women were particularly vulnerable as a group because of strong traditional values maintained in rural areas, patriarchal families, lack of women education and access to information, poor exposure to the outside world and lack of power.

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