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## DEMOCRATIC DECENTRALIZATION IN JAMMU AND KASHMIR: A STUDY OF PRE-370 PANCHAYATI RAJ INSTITUTIONS IN SAMBA DISTRICT

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### Abstract

Decentralization is the process of downward devolution of powers, authority, functions, people, and things away from central control. Democratic Decentralisation means the delegation of authority, planning, and decision-making from the government at the centre to the local governments or the local administrative units. Decentralization helps in increasing the people's participation in the process of policy formulation and policy implementation and also in identifying their needs and preferences. In India major step in the direction of democratic decentralization is the 73<sup>rd</sup> Constitutional Amendment Act as this act provided constitutional status to local governments at rural and urban levels respectively. It empowers the weaker sections of the society like SCs, STs, OBCs, and Women by providing them reservations in local government. The present paper studies the process of democratic decentralization in Jammu and Kashmir and the main focus is on the system of Panchayati Raj system in Jammu and Kashmir which deals with the district, block, and village (halqa) level institutions in rural areas. The paper will highlight the various structural and operational weaknesses in the Panchayati Raj act that hinders the development of Panchayats as an institution of Rural local Self-Government. It will also highlight the democratic decentralization experiences in Jammu and Kashmir and the need of reinventing governance at the grass-root level.

**Keywords:** Decentralisation, Panchayati Raj Institutions, Halqa Panchayats, Democracy, Development, Implementation.

### Introduction

India is a country with continental dimensions, stretching for 3000 km in length and breadth. From Kashmir in the north to Kanyakumari in the south, Kutch in the west to Silchar in the east; India encompasses Varied topography, Diverse physical conditions, Socio-cultural pluralities, and Environmental diversities. Keeping in view these peculiarities a centralized system of administration was not sufficient to administer such a vast land and thus a system of Local Self Government was evolved so as to suit Indian dynamics. This system of local self-government is heralded as the most important reform of 20th Century India. It got constitutional status with the passage of the 73<sup>rd</sup> Amendment Act. It established "Grass Root level democracy" and intends to transform the representative democracy into a participatory democracy. It started an era of democratic decentralization in the country. Decentralization is an often-used concept and is closely associated with democracy, good governance, and developments at the local level.

Decentralization is the process of downward devolution of powers, authority, functions, people, and things away from central control. Democratic Decentralisation means the delegation of authority, planning, and decision-making from the central government to the local governments or the local administrative units. Blair defined Democratic Decentralisation as "meaningful authority devolved to local units of governance that are accessible and accountable to the local citizenry, who enjoy full political rights and liberty" (Jain, 2013). It helps in increasing the participation of people in the process of policy formulation and implementation and also in identifying their needs and preferences. It empowers the weaker sections of the society like SCs, STs, OBCs, and Women by providing them reservations in local government.

There has been strong demand in favour of decentralization since India's Independence. That's why Article 40 was incorporated in the Constitution of India which deals with village panchayats. Whereas the Panchayati Raj system got its constitutional status with the passage of the 73<sup>rd</sup> Constitutional Amendment Act 1992. "This Constitutional Amendment Act Incorporated Part IX in the constitution containing Articles 243-243O. These articles deal with the Panchayati Raj System- its Introduction, definition of Gram Sabha, Constitution of Panchayats, Composition of Panchayats, Reservation of seats, Duration of Panchayats, Disqualifications for membership, Powers, authority, and responsibilities of Panchayats, Powers to impose taxes by, and Funds of, the Panchayats, Constitution of Finance Commission to review financial position, Audit of accounts of Panchayats, Elections to the Panchayats, Application to Union territories, Part not to apply to certain areas, Continuance of existing laws and Panchayats, Bar to interference by courts in electoral matters respectively" (Government of India).

The Panchayati Raj System is considered a concomitant to relocate power and a process of empowerment of grass-root democracy in rural areas with devolution of 4Fs i.e., Funds, Functions, Functionaries, and Framework to rural people. This Act not only



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gave constitutional status to panchayats but also empowered the local self-government. This 73<sup>rd</sup> Amendment Act was implemented in all the states except Jammu and Kashmir. Jammu and Kashmir government had its own Panchayati Raj Act, 1989.

### Jammu and Kashmir Panchayati Raj Act, 1989

The Jammu and Kashmir Panchayati Raj Act, 1989 provide for a three-tier system consisting of Halqa Panchayats, Block Development Councils, and The District Planning and Development Boards. The act also includes the provision of the Constitution of Panchayati Adalats. (Department of Rural Development and Panchayati Raj, 1989)

**Halqa Panchayat:** According to the act, “a Halqa Panchayat should be constituted in every village and each Halqa Panchayat shall comprise of all the persons included in the electoral list of the village. There shall be at least two meetings of Halqa Majlis in every financial year. Panches and Sarpanches shall be elected directly by the voters of Halqa Panchayat. Seats of Panches should be reserved for SCs and STs. The term of office of every panch and sarpanch should be five years from the date of the election. Also, the person who is a member of Halqa Panchayat can be disqualified on certain grounds. The VLW or Gram Sevak shall be the secretary of Halqa Panchayat. A Sarpanch or Naib Sarpanch can also be removed from his office if 2/3<sup>rd</sup> of the total number of panches voted against him.” (Department of Rural Development and Panchayati Raj, 1989)

The act mentions that there shall be Panchayat Advisory Committee. The act added that if a Halqa Panchayat is incompetent and is not performing its duties that such Halqa Panchayat can be suppressed and this period of suppression should not increase six months within which new elections should be conducted. Every Panch and Sarpanch shall be entitled to a monthly honorarium salary.

**Powers and Functions of Halqa Panchayats:** The powers and functions of Halqa Panchayats include “the preparation of plans for the development of Halqas; to deal with the problem of water management, soil conservation, agriculture, sanitation, rural industrialization, health, animal husbandry and other welfare programs; regulation of shops, entertainment houses, buildings and checking of dangerous trades; regulation of sale and preservation of fish, vegetables, and other perishable food items; preparation and implementation of special developmental plans for alleviating poverty and employment generation through the various program, like Integrated Rural Development Programme, National Rural Employment Programme, Rural Landless Employment Guarantee Programme and Housing of Scheduled Castes and Backward Classes.” (Department of Rural Development and Panchayati Raj, 1989)

The Act includes Property and Funds of Halqa Panchayat. It mentions the taxes and fees which a Halqa Panchayat can impose and also the functions of Sarpanches and Naib-Sarpanches.

**Block Development Council:** The Jammu and Kashmir Panchayati Raj Act includes a provision of the “constitution of Block Development Council in every block bearing the name of that block. The Block Development Council shall consist of a chairman, sarpanches of all the Halqa panchayats falling within the block, and a chairman of the Marketing Society within the block. Two persons can be nominated if the authority is of the opinion that Women or Scheduled Castes or any other class has not been adequately represented in the Block Development Council. Every Block Development Council shall have (i) a chairman whose qualification for election should be like a Panch. If any Panch or Sarpanch is elected as the chairman of the Block Development Council, should resign from the post of Panch or Sarpanch after getting elected. (ii) a Vice-Chairman who shall be elected by the members of the Block Development Council from among themselves. (iii) a Secretary of the Block Development Council. The term of the office of the Chairman is 5 years from the date of his election. Whereas the term of the Vice-Chairman and other members shall be in accordance with the term of their office as Sarpanch of the concerned Halqa Panchayat. The chairman of the Block Development Council can also be removed from his office if a no-confidence motion is passed against him. The Block Development Council shall conduct a meeting in every month and which should be convened by the Chairman or in his absence by the Vice-chairman.” (Department of Rural Development and Panchayati Raj, 1989)

**Powers and Functions of Block development Council:** The Act mentions various powers and functions of the Block Development Council. These are “to construct, maintain and supervise Inter-Halqa Panchayat Communication System; to provide technical and administrative guidance to Halqa Panchayats; to monitor plans relating to rural development, agriculture, education, animal husbandry/sheep husbandry, social forestry, and public health; to monitor implementation of various government programs like Integrated Rural Development Programme, National Rural Employment Programme, Rural Landless Employment Guarantee Programme; also to carry out those functions which are assigned to the council by Government and by district Planning Development Board.” (Department of Rural Development and Panchayati Raj, 1989)



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The Act also includes the functions of Chairman and Vice-Chairman, Property and Finance of the council, Procedure of election which shall be conducted by State Election Commission.

**District Planning and Development Board:** According to the Act, “a District Planning and Development Board should be constituted in each district by the Government by notification in the Government Gazette. This board shall comprise of chairman of all the Block Development Councils in the District, Members of Parliament and State legislatures who are representing areas within the district, Chairman of the Town Area Committees in the District, and the President of the Municipal Council. The Chairman of the District Planning and Development Board shall be nominated by the Government from amongst the members of the Board. The Vice-Chairman shall be elected by the members of the Board from among themselves. The Chief Executive of the Board shall be the District Development Commissioner and he shall be assisted by the District Level Heads in the discharge of functions.” (Department of Rural Development and Panchayati Raj, 1989)

**Powers and Functions of District Planning and Development Board:** The act mentions various powers and functions of the District Planning and Development Board. These are “to consider and guide the formulation of development programs for the District and indicate priorities for various schemes and consider issues relating to the speedy development and economic upliftment of the District; periodically review the progress and attainments of development plans and schemes and to make recommendations; to function as a working group for the formulation of periodic and annual plans for the District; to formulate and finalize the plan and non-plan budget for the District; to frame the policy guidelines for the Block Development Council and Halqa Panchayat; to approve the budget of the Block Development Council and supervise and co-ordinate their work; to undertake special measures for alleviating poverty and employment generation and extending assistance to Halqa Panchayats in this behalf; to promote and assist co-operative institutions; to perform such other functions and duties as may be assigned to it by the Government from time to time.” (Department of Rural Development and Panchayati Raj, 1989)

The Act states that all the funds for the Development of District provided by the Government or any other agency will flow through the board as per the plans.

**Constitution of Panchayati Adalats:** The Act incorporates provision for “the composition of Panchayati Adalats for every Halqa Panchayat. There shall be Five members in every Panchayati Adalat who shall be nominated by the prescribed authority out of the prepared panel. Each member shall fulfil the qualification criteria like he shall be literate; shall have attained the age of 30 years; shall not be an elected representative, shall not be a government employee. Each member shall be nominated for a period of five years from the date of nomination. Three members form the Quorum required for every meeting. In case of any vacancy arises, it shall be filled the same as in an above-mentioned manner. But now the nominated member should serve for the remaining period. This Panchayati Adalat shall have criminal and civil jurisdiction and shall deal with local disputes. (Department of Rural Development and Panchayati Raj, 1989)

### Literature Review

**Hooja and Dutt (2010)** provided a broad perspective on Democratic Decentralisation and Panchayati Raj institutions. Panchayati Raj institutions got constitutional status with the 73<sup>rd</sup> amendment act. The local self-governments with this act got a better defined, new, and universalized platform for planning from below. Many years have passed since the passage of this act but still, the concept of developmental planning from below has not evolved. Panchayati Raj Institutions are mostly responsible for the implementation of various government schemes and not for rural reconstruction. Powers and functions are not transferred to Panchayati Raj Institutions in the real sense in many states as MLAs in the state governments are reluctant to share their power with the local government. For upholding the people’s expectations, it is necessary that Panchayats should be assigned their clearly demarcated roles. The main focus should be put on empowering the panchayats and their capacity building. Also, panchayats’ accountability toward people should increase. (Hooja R., 2010)

**Jain (2013)** said that “political decentralization has taken place in all states where panchayat elections have been held after the passage of the 73<sup>rd</sup> Constitutional Amendment Act. Whereas progress in terms of functional and fiscal decentralization has been mixed. Many states have taken steps to devolve functions, funds, and functionaries to the PRIs. This process of devolution is at a different level in all the states. Also, the local elites got empowerment with this process of decentralization and capture the share of government resources”. (Jain, 2013)

**Kumar, Slathia, and Nain (2013)** provided an analytical study of Panchayati Raj Institutions in Jammu and Kashmir and stated that panchayats in Jammu and Kashmir should be equipped with 4 F’s. These are Finance, Functions, Functionaries, and Framework. In the



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state, many Panchayat Raj Members don't have any experience and the majority of them are illiterate or literate up to the primary level only. So, the capacity building of both the members and concerned officials should be ensured. Requisite technical qualifications should be provided to them so that they can prepare and implement their plans easily. E-governance initiatives in panchayats should be encouraged. These PRIs should be empowered so that they can mobilize locally available resources with the help of tax and non-tax measures and these resources should be used for the upliftment of poor people in the gram sabhas. (Kumar P., 2013)

**Sheikh (2014)** discussed that decentralization is a step towards good governance. The 73<sup>rd</sup> Amendment Act empowered Panchayati Raj Institutions and gave them the responsibility of preparing plans for economic development and social justice in panchayats. Although most states ratified the 73<sup>rd</sup> Amendment Act, still the quality of administrative, political, and financial decentralization varies in different states. As a result, panchayats don't have the power to implement functions assigned to them which de facto remained under the control of state administration. So, in order to strengthen the process of decentralization 73<sup>rd</sup> Amendment must be implemented in letter and spirit. There should be a clear demarcation of powers at all levels. Fair and Regular Elections should be held at the local level because without popular representation and people's participation interests of local people cannot be addressed and local initiatives would not get the required level of support. Also, the over interference by MLAs, MPs, political leaders, and bureaucrats in the functioning of panchayats must be stopped. Instead, political leaders and local governments should develop cooperative relations between them and work jointly for the empowerment of panchayats. (Sheikh, 2014)

**Inakhiya and Sharma (2016)** analysed the process of democratic decentralisation in Jammu and Kashmir and found that the decentralisation process was not implemented thoroughly in the state. The Panchayati Raj Institutions were not given due importance in the state as members of the legislative assembly do not want to share their power and encourage local leadership. So, grassroots democracy is not taking its shape due to the lack of will of government and political leaders. (Inakhiya, 2016)

**Hussain and Ahmed (2018)** discuss various complications of Rural Development and the Panchayati Raj System of Jammu and Kashmir in their article. They stated that there is less participation of people in Panchayat's elections and functions due to militancy. Elections of panchayats are not held on time as the first election was held in 2001, then 2011, then 2018, and in 2020 DDC elections were held. The members who got elected in Kashmir Province remain worried about their life as some Panches and sarpanches were killed by militants. So often they demand security for themselves and their family or otherwise they resigned from their post. The majority of elected representatives are less educated or illiterate so they cannot understand and implement the developmental programs in their panchayats. Also, there is a lack of funding in panchayats which is the reason there is a demand for the implementation of the 73<sup>rd</sup> Amendment Act in the state. (Hussain, 2018)

**Bakloo (2021)** analysed the process of Evolution of Panchayati Raj in Jammu and Kashmir. In his article, he mentioned that in Kashmir province there are many panchayats that do not have their own Panchayat Ghar. The participation of the common man in the functioning of panchayats is negligible or very less. Many panchayats' representatives work as contractors and acquire contract for almost all the government projects which helps them in filling their pockets. Whereas the panchayat representatives in Kashmir claim that the State had not assigned them powers so they cannot work for the upliftment of peoples in villages. Therefore, many elected representatives from the state were demanding the enforcement of the 73<sup>rd</sup> Amendment Act in Jammu and Kashmir which according to them could empower the panchayats. (Bakloo, 2021)

**Research Gap:** The available literature on Panchayati Raj in Jammu and Kashmir is very scarce. But from the available literature review, it has been found that although the of Panchayati Raj Institutions are based on the principle of democratic decentralization but still the Panchayati Raj Institutions suffer from both operational and structural weakness as it has not been implemented in letter and spirit in Jammu and Kashmir. The literature review highlights various issues which are hindering the performances of Panchayati Raj Institutions in realizing its goals like representation, participation, funds delivery, service delivery, accountability, capacity building, transparency, and social inclusion.

**Statement of the problem:** Panchayati Raj Institutions in Jammu and Kashmir have been granted constitutional status. They are working for the upliftment of villages in order to bring rural development. But in the literature reviewed it was found that there the Panchayat Raj Institutions are not working according to the guidelines of the act also there is a mismatch between funds allotted and the functions of the panchayats. The present research studies the applicability of the act, participation of people, representation of various sections, empowerment of women, SCs, STs, and OBCs, Roles, and functions of Panchayats, and their accountability towards the delivery of services, and the main source of their funding.



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### Research Questions

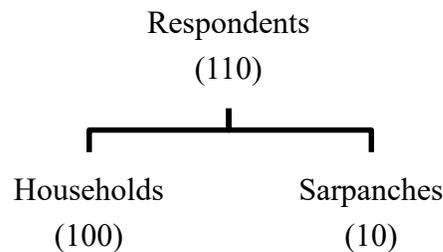
1. To what extent Panchayati Raj Institutions has strengthened grass-root level democracy in the Samba district?
2. Do the Panchayati Raj Institutions in the Samba district are functioning according to the provisions of the Panchayati Raj Act, 1989?
3. What is the role of women and their level of participation in Panchayati Raj Institutions in the Samba district?

### Objectives of Study

1. To study the role of Panchayati Raj Institutions in strengthening grass root level democracy in Samba District.
2. To assess the functioning of Panchayati Raj institutions in the Samba district with respect to the provisions of the Panchayat Raj Act, 1989.
3. To examine the role of women and their level of participation in Panchayati Raj Institutions in the Samba District.

### Methodology

Samba district has been selected for the research study to evaluate and understand the role of Panchayati Raj Institutions in strengthening the grass root level democracy. There are a total of 101 panchayats in the Samba district and 10 panchayats are selected for the present study purposively. The respondents for the present study are 10 households from each village making the total household respondents 100. And 10 sarpanches of all these selected panchayats are also selected as respondents.



The study is based on a mixed-method approach (qualitative and quantitative methods). Both primary, as well as secondary sources, are consulted. The primary data have been collected from field surveys through interviews, survey methods, and observation method. For the field survey, two sets of Interview schedules were prepared which contains both closed-ended and open-ended questions. Whereas the Secondary sources used are books, Academic Journals, Government Acts, statutes, Official reports, Official Websites, Articles, Periodicals, Magazines, and Newspapers.

The analysis of the interview schedule was done using a percentage frequency method. The compilation and tabulation of data were done using MS-Excel. On the basis of the data received some major findings of the study were found.

### Major Findings of the Study

**Mis-Functioning of Gram Sabhas-** The most salient feature of the Act is ‘Gram Sabha’ or ‘Halqa Majlis’ which is the very foundation of the Panchayati Raj system. It is a body consisting of all the persons registered in the electoral rolls of all the villages that fall under the jurisdiction of a particular panchayat. This is the most basic unit as all the decisions are to be taken by Gram Sabha with the majority of members agreeing to it and the resolution of Gram Sabha is the most important document for the beginning of any process in a panchayat and there shall be at least two meetings of Halqa Majlis every year. The quorum of the meeting of Gram Sabha shall be not less than one-tenth of the total members.

However, this notion of Gram Sabha is seen mostly in papers as it rarely happens that a Gram Sabha is conducted with its required quorum and the majority of times many important decisions are taken by Sarpanch, Panchayat Secretary (Village Level Worker), Panches (sometimes even all panches are not taken into consideration owing to local politics and situations) and some 10-15 dominant people in the village(even this is an inflated figure) who constitute a vicious nexus for their vested interests, thus defeating the very purpose of participatory democracy.

**Absence of three-tier Structure-** The Jammu and Kashmir Panchayati Raj Act, 1989 adopted a three-tier Panchayati Raj system at the Halqa, Block, and at the district level. But for many years no elections were held for the Block development Council and District Planning and Development Board. But at last, in 2019 and 2020 elections were held for the Block development Council and District Planning and Development Board respectively.



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**Improper functioning of Halqa Panchayats-** The Act empowers Panches and Sarpanches to bring development in their Halqas, by dealing with the problem of water management, soil conservation, agriculture, sanitation, rural industrialization, health, animal husbandry regulation of shops, entertainment houses, buildings, checking of dangerous trades, regulation of sale and preservation of fish, vegetables, and other perishable food items.

But in reality, these functions are not performed by Halqa Panchayats of the Samba district due to lack of funds. Instead, Panches and Sarpanches remain unanswerable to the people of their Halqas during their term of office. They usually visit people during the times of elections.

**Reservation of seats for Women-** The act provides for the reservation of one-third of the total number of seats for women including the total number of seats reserved for women belonging to SCs & STs in every Panchayat. Further, the act includes that not less than one-third of the total number of offices of chairpersons in the Panchayats at each level shall be reserved for women. This provision was incorporated in the Act so as to empower and embolden the women and to ensure that gender-sensitive issues also get their voice in the decision-making and planning process as female constitutes the other half of the total population. However, this very provision gave rise to the concept of “Proxy Sarpanches and Panches” in the Panchayats as officially women are elected to the posts but in reality, the real working horses are either their husband or father-in-Law or in some cases, brothers-in-law thus turning this provision as a failed instrument of empowerment.

**Reservation of seats for SCs and STs-** The Act provides for the reservation of seats in panchayats for the people belonging to scheduled castes and scheduled tribes for the posts of panchs and sarpanches. This provision was incorporated to empower the weaker sections of society. But it was found that only a few people from SCs and STs know that there is reservation for them. The participation of members belonging to weaker sections was less in Halqa Majlis meetings and in case they participated majority of them remain inactive.

**Rampant Corruption in MGNREGA-** According to Act every Halqa Panchayats has to prepare and implement special developmental plans for alleviating poverty and employment generation. The Panchayats in Samba are also generating employment under MGNREGA. It provides very low wages per day even less than the wages of a labor person. So very few villagers are ready to do the work under MGNREGA. Women’s participation is also very less. Many villagers registered themselves for job cards and provided their account numbers. But in reality, they do not work under MGNREGA they only eat the government’s money either by themselves or by sharing it with Panchayat representatives and government servants in Block Development offices. Thus, there is rampant corruption in the implementation of MGNREGA.

**Lack of Visionary Approach-** Planning is the most important aspect for the overall development of a Panchayat. The recent trend being the majority of the plans viz- MGNREGA, 14th Finance Commission, PRI grant Plan, CD Panchayat, etc are formulated by respective Gram Panchayats. However, this planning process has been hijacked by a limited few for their personal benefits and there is less focus on Community asset creation as the majority of PRI’s purpose Kaccha path, Pacca Path, or Land Development which are washed away in the long run and same works are being done again and again in many of the panchayats resulting in wastage of huge chunk of resources. The notion of sanitation, Cleanliness Dustbins installment, Waste disposal is altogether missing from the planning process which is a very big concern.

Further, in many instances most of the works purposed in a plan are personal in nature wherein local vote bank politics is taken into consideration and many times Panches are in conflict with Sarpanch or with one another for non- allotment of works in their ward which should be discouraged as the overall development of the panchayat should be the ultimate goal for which holistic and inclusive planning process is the need of the hour.

**Defunct Panchayat Ghars-** The Panchayat Ghar in a panchayat is conceived as the parliament at the micro-level where most of the deliberations are supposed to occur and wherein Sarpanch and panches of a panchayat must sit on a regular basis so as to dispose of public grievances. Under 13th Finance Commission govt. has released for each panchayat 20 lakhs for the construction of panchayat ghars, yet many of these panchayat ghars are either incomplete for the past 10 years lying in defunct states as ghost places. Even those panchayats which have functional panchayat ghars are working with limited facilities like without water connection, no bathroom facilities, poor infrastructure, etc.

**Delay in Panchayat Elections-** The Jammu and Kashmir Panchayati Raj Act, 1989 clearly mentions that elections of panchayats should be held after every five years. But still the elections never held on time. In Jammu and Kashmir panchayats elections were held in 2001, then in 2011, and then in 2018.



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**Panchayati Adalats not Established-** The Jammu and Kashmir Panchayati Raj Act, 1989 provides for the constitution of Panchayati Adalats in every Halqa for the speedy disposal of civil and criminal cases. But no such adalats have been established in Jammu and Kashmir so far.

**Panchayat Advisory Committee Not Established-** The Act mentions that there shall be Panchayat Advisory Committee to assist Panchayats. But in the Samba district, no such Advisory Committee has been constituted. Also, the role of this committee is not clearly defined in the act. In most cases, the Halqa panchayat is the supreme decision-making body in villages.

**Lack of Training to elected representatives-** Training was not provided to many panches and sarpanches for the effective implantation of their projects. Many times, they were called to the BDO and DC offices for attending some workshops or were called to attend a 2-4 days training program in IMPA Jammu. But this type of workshop is not sufficient for the effective implementation of their plans. They need some orientation programs and visits to model villages.

**Lack of Funding-** Funds allotted to the Panchayats in the Samba district are not sufficient. So, the Sarpanch and Panches could not make necessary developments in the district due to lack of funds. The Act regarding the creation of the State finance commission was formulated in 2011. But still, the Panchayats lack funding.

**Conclusion:** In the present paper it is clear from the above discussion that the Democratic Decentralisation was brought in India and in Jammu and Kashmir by passing the Panchayati Raj Act. This process of decentralization was brought to increase the participation of people in planning, decision making, policy formulation, and policy implementation. However, in contrast above mentioned objectives it was found that the Jammu and Kashmir Panchayati Raj Act, 1989 suffers from structural and operational weakness. This act provides for the establishment of three tier structure at Halqa, Block and District level but the Block Development Council and District Development Council were not established till 2020.

The biggest issue is that there is absence of power and lack of funding with the Panchayats. Also, the participation of rural people in decision making is very less in panchayats. In short, we can say that the Panchayati Raj Act, 1989 was not implemented in letter and spirit in Jammu and Kashmir.

But in spite of some drawbacks Panchayati Raj Act has empowered and inspired the people of Halqa Panchayats including SCs, STs, and women to actively participate in decision making and work jointly for the development of their own Village.

After the abrogation of article 370 from the constitution of India which granted special status to Jammu and Kashmir, the 73<sup>rd</sup> Constitutional Amendment Act has been implemented in the UT. After the implementation of this 73<sup>rd</sup> Amendment Act there arose a hope among the people of Jammu and Kashmir that it will bring real grass-root level democracy in the UT.

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