



## Panchayati Raj in Jammu and Kashmir: A Study

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**Abstract:** Panchayati Raj is a form of rural local self-government in which local bodies chosen by the people are responsible for rural development and control of local matters. Except for a few states and territories, panchayati raj exists in all Indian states and was created by the legislation of individual state legislatures. Jammu and Kashmir's panchayati raj system has a distinctive history. The history of Panchayati Raj in Jammu and Kashmir has a long history. However, the current setup is governed by the Jammu and Kashmir Panchayati Raj Act of 1989, which has been modified multiple times. The competent authorities have taken many steps to ensure its empowerment, success, and achievement of its goals of democratic decentralisation and rural development. There are number of difficulties that have prevented Panchayati Raj from organising, flourishing, and carrying out its tasks to the best of its capacity. As a result, Panchayati Raj in Jammu and Kashmir must be activated and revitalised.

**Key Words:** Panchayat, Panch, Surpanch, Naib Surpanch, Block Development Council and Halqa Panchayat.

### 1. INTRODUCTION:

Mahatma Gandhi promoted the concept of village republics and self-government in India. In assessing the relevance of panchayats, Gandhiji stated, "When the panchayat raj is created, public opinion will do what violence can never accomplish." The majority of state governments in India established Panchayats immediately after Indian independence from British rule. Panchayati Raj resulted in democratic decentralisation, in which authority was rationalised among governance entities at the central, regional, and local levels, with authorities and functions transferred to the lowest institutional or local level. The panchayati raj bodies in India were constitutionalised by the Government led by Prime Minister Narsima Rao through the 73rd constitutional amendment act, 1992, and went into effect on April 24, 1993.

Maharaja Hari Singh established the Panchayati Raj in the state of Jammu and Kashmir in 1935 by enacting the first Village Panchayat Regulation Act No. 1. In 1941, this legislation was revised. Sheikh Mohammad Abdullah's Naya Kashmir (New Kashmir) Plan (1944), submitted to Maharaja Hari Singh, emphasised the necessity of democratic decentralisation, social fairness, and economic rebuilding. The panchayat legislation of 1935 was later superseded in 1951 by Act-V of Samvat-2008, which permitted the creation of local Panchayats. Following the enactment of the Jammu and Kashmir Panchayat Act of 1958 and the Jammu and Kashmir Panchayati Raj Act of 1989, As a result, the state of Jammu and Kashmir steadily improved its panchayati raj structure. Elections for panchayats were conducted in 2001, 2011, and 2018. In 2019, elections for Block Development Council (BDC) chairpersons were conducted. Despite these attempts, the Panchayati Raj Institutions (PRIs) established under the Jammu and Kashmir Panchayati Raj Act, 1989, have yet to develop throughout the union territory. The purpose of this study paper is to identify flaws in the form and operation of PRIs, provide solutions, and determine whether panchayati raj in Jammu and Kashmir would be successful or not<sup>1</sup>.

### 2. LITERATURE REVIEW:

Bhat A. H. (2018): The study clearly states that the mismanagement system, political influence, lack of motivation, lack of transparency, and other challenges are causing the Jammu and Kashmir Panchayati Raj system to fail. These challenges have been analysed in every panchayat in Jammu and Kashmir and in rural development.



Ashwani Kumar, (2012): Based on the results of this study, SC/ST women are not completely ignored in the political realm. Although their overall representation is ineffective, they were self-motivated and eager to compete, due to democratic government support and empowerment at the grass-roots level.

Kumari K, N., and Kumari K., A. (2015): The Panchayati Raj institutions have usually been viewed as a method to good government, and the 73rd constitutional Amendment was enacted in the belief that it would lead to improved performance, better governance, and provide women political space. The findings revealed that elected female legislators are not always treated with dignity. Many female delegates have said that their views were not considered. They also reported being pressured by their spouses to support choices made by male-dominated panchayati raj organisations.

S. Ambedkar (2014): has offered a theoretical framework for rural development and democratic decentralisation. He has supported for real public engagement in decision-making in order to ensure effective government, and he has emphasised the importance of going beyond the 73rd and 74th constitutional amendments. He noted that the amendments provided for 33.3% reserves for women and S.Cs, S.Ts, and BCs in proportion to their population decentralised development planning, strengthening financial capabilities through greater authorities, and assistance to local bodies.

### **3. METHODOLOGY :**

The present study used secondary data from journals, papers, books, government documents, and other published works. The study discusses the evolution of Panchayati Raj in Jammu and Kashmir, the Jammu and Kashmir Panchayati Raj Act 1989, and three Panchayati elections (2001, 2011, and 2018) through the use of secondary data from different sources.

#### **History of Panchyati Raj in Jammu and Kashmir:**

Jammu and Kashmir has a particular history when it comes to Panchayati Raj. The existence of Panchayats in the union territory can be traced back to 1935, when Maharaja Hari Singh issued the first Village Panchayat Regulation Act No. 1. Under the introduction of the Act "it is necessary to create in Jammu And Kashmir State the village panchayats to aid in the administrative, civil and criminal justice and also to oversee the sanitation and other common problems of the village". It is apparent that the major goal of this Act was to employ panchayats to help judicial and civil administration rather than to develop Panchayati Raj in the state<sup>2</sup>. This Act had restricted goals and was exclusive in structure. There was no sign of a democratic personality. The Act provided for the election of 5-7 panches, one of which was to be chosen by a panchayat official known as a Wazir-re-wazarat. The official was given the authority to create rules and regulations for panchayat elections. The Act also established strict voter conditions, and the franchise right was confined to a small few - educated, paying taxes, owning property, or earning a minimal wage<sup>3</sup>. Examining the principal powers delegated to panchayats indicates that out of the 58 clauses, 47 dealt with judicial functions. The panchayats' non-judicial tasks primarily included oversight, building, and maintenance. The Act established supervisory powers for village schools, village authorities and labourers, and public land and structures. The creation of panchayats was given to the Department of Revenue, which was a unique component of the Act. The Department of Panchayat and Rural Development was created in 1936 and is affiliated with the Revenue Department. Apart from allocating finances, the major purpose of this department was to monitor the operation of the panchayats. This department was in charge of forming "Dehat-Sudhar Committees" (Village Reform Committees) to advise panchayats. People lost trust in panchayati Raj institutions as a result of their nondemocratic character<sup>4</sup>. The 1935 Act was revised in 1941, adding a variety of issues to the original Act. The power to maintain all public roadways, movable and immovable public goods, and other constructions in the villages was transferred to the panchayats. They were also given the authority to raise taxes, adjudicate local disputes, and produce funds for the village's growth. The Rural Development and Panchayati Department conducted a survey of 1,300 villages, documenting their economic, social, and cultural circumstances. During this time, the Panchayat Raj launched the first-ever adult education campaign in partnership with the state education department. In 24 communities, village libraries were opened, and community radio stations were constructed. In addition to the money generated by taxation, the government granted panchayats with Rs. 40,000 in 1937-38 and Rs. 3, 85,000 from 1945 to 1949<sup>5</sup>. Despite these efforts, policy pronouncements, and even some early achievements, Panchayati Raj institutions were unable to demonstrate that they were viable and feasible agents of grassroots development.



Sheikh Mohammad Abdullah launched the "Naya Kashmir" initiative in 1944. While unveiling this plan, he stated " the Jammu and Kashmir National Conference regards the 'Naya Kashmir' Program as a blue print for the future political and economic set up in the state. With this goal in mind, we developed this programme. From a political standpoint, it sought to establish a responsible administration founded on democratic values. All democratic institutions, from panchayats to the national legislature, must be established through the democratic process of elections. An independent judicial system must be a key component of the system, and the executive must be held accountable to the people<sup>6</sup>. After the post-accession period, the principle of permitting grass-roots political entities was included into the State Constitution. The state was required by the Constitution to "take steps to create village Panchayats and provide them with such powers and authority as may be necessary to allow them to operate as units of self-government." (Article 16, Directive Principles, Jammu and Kashmir Constitution) In 1951, the government replaced the Panchayat Act of 1935 (as amended in 1941) with Act-V of Samvat 2008. This legislation mandated the formation of a single panchayat for five to seven villages. Members of panchayats were both elected and nominated. Members were elected by a show of hands, and some were recommended by the Panchayat Officer. The Sarpanch was chosen by the panchayat members rather than by the general electorate. This Act also established a joint panchayat committee with the authority to carry out inter-panchayat development projects. By March 1951, the state had constituted 540 panchayats. By March 1954, the number had increased to 751, comprising 4774 settlements<sup>7</sup>.

The Jammu and Kashmir Village Panchayat Act of 1958 established a two-tier panchayati raj structure, with Gram Panchayat at the village level and Block Panchayat Board at the block level. The legislation authorised the state government to create a Gram Panchayat in each village and to specify the panchayats' territorial jurisdiction<sup>8</sup>. Also every Panchayat was to be represented by one representative on the Block Panchayat Board, which had the role of suggesting assistance for the advancement of the block in terms of communications, irrigation facilities, government dispensaries, veterinary dispensaries, local industries, Schools, medical relief, and drinking water<sup>9</sup>. The legislation also established the Panchayat Adalats. The government exerted influence over the Panchayats in a variety of ways. In addition to elected panches, the government had the authority to appoint certain Panches. The designated authority was to decide the number of elected panches and nominated panches under the Act<sup>10</sup>. Aside from that, the government might suspend, supersede, or disband a Panchayat. By 1962, the panchayats had encompassed 6956 of the total rural population, with an average population of 3,098 each panchayat. Gram Panchayats expanded from 936 in 1962 to 1483 in 1977-1978. The average population per Gram Panchayat fell from 3,098 in 1961-62 to 2,543 in 1967-68, but it rose to 3,218 in 1990. Compared to 2,386 for whole of India. In 1990, the number of villages per Gram Panchayat was around 4.7, compared to 2.8 at the national level<sup>11</sup>. The Panchayat Act of 1958 was unable to enhance the state's Panchayati Raj institutions. The absence of a mandatory provision for normal elections, non-implementation of Panchayati Raj Programmes above the village level, and a lack of financial autonomy were the Act's primary flaws. In 1967-68, the technique of giving grant-in-aid to panchayats was discontinued, and instead, it was decided to give loans for the establishment of remunerative assets<sup>12</sup>.

The Indra-Sheikh Accord was reached in 1975 between Kashmiri politician Sheikh Abdullah and then-Indian Prime Minister Indira Gandhi, allowing the former to become Chief Minister of Jammu and Kashmir. At this point, it was apparent that development could not be achieved without the involvement of the people, and that the planning process needed to be decentralised. The creation of district planning boards decentralised planning, resulting in the District as a planning entity. The board was given the authority to create long and short-term strategies and oversee their execution. District development boards met in each district to make numerous crucial decisions and ratify the district budget. This entire procedure was referred to as single line administration<sup>13</sup>. Its primary goal was to decentralise governance and develop a basis of participation at the local level. With the passage of time, it became clear that the decentralisation of planning should be carried down to the block level, and the state administration established blocks as the fundamental planning units.

### **The Jammu and Kashmir Panchayati Raj Act 1989:**

The Jammu and Kashmir Panchayati Raj Bill was proposed in the legislative assembly of Jammu and Kashmir in April 1988 and approved in March 1989. In July 1989, the Governor signed the legislation into law. The act's preamble says, "Whereas it is necessary to promote and expand Panchayati Raj in the State as an institution of assertive Local Self Government to assure the active participation of the citizens in decision making and for supervising the execution of developmental programmes<sup>14</sup>." The Act establishes a three-tiered Panchayati Raj system, including Halqa Panchayat,



Block Development Council, and District Planning and Development Board. Furthermore, the Act mandates a Panchayat Adalat for each halqa.

### **Halqa Panchayat<sup>15</sup> :**

According to the Act, each halqa must have a Halqa Panchayat. "Halqa" refers to the territory encompassing a village or a number of villages established by the government.

- Every Halqa Panchayat shall have a Halqa Majli made up of all the people whose names appear on the election record for that Halqa Panchayat.
- In a fiscal year, the Sarpanch must call at least two Halqa Majli sessions.
- Each Halqa Panchayat shall be composed of such number of Panches, not less than seven and not more than eleven, including the Sarpanch, as the specified authority may, from time to time, designate in this respect, and Panch Seats shall be reserved in every Halqa Panchayat for:
  - I. the Scheduled Castes
  - II. the Scheduled Tribes
  - III. Not less than one-third of the overall number of Panch seats designated under the preceding section shall be reserved for women from the Scheduled Castes or, as the case may be, Scheduled Tribes.
  - IV. Not less than one-third (along with Panch seats reserved for women from Scheduled Castes and Scheduled Tribes) of the total number of seats to be filled by popular democracy in each panchayat shall be reserved for women, and other such seats may be assigned by rotation to different constituencies in a Panchayat by such authority and in such in such prescribed manner.
- The Sarpanch is chosen directly by the Halqa Panchayat voters in the manner specified.
- The Naib-Sarpanch will be chosen from among the Panches of the Halqa Panchayat at the initial notified meeting of the Halqa Panchayat following its establishment.

The State Election Commission shall have superintendence, direction, and control over the creation of electoral rolls and the holding of all elections under the Jammu and Kashmir Panchayati Raj Act 1989<sup>16</sup>.

The Commission shall be composed of a State Election Commissioner, who shall be nominated by the Governor on the proposal of a committee comprised of the following individuals:

- Chief Minister. (Chairman)
- A Senior Minister to be nominated by the Chief Minister. ( Member)
- Speaker of Legislative Assembly. ( Member)
- Minister In charge Panchayats. ( Member)
- Leader of opposition in Legislative Assembly. ( Member)

The State Election Commissioner must serve for a term of five years from the date he takes office or until he reaches the age of sixty-five, whichever comes first. The State Election Commissioner may be dismissed from office only by an order issued by the Governor based on proven misconduct or incapacity following an investigation undertaken by a serving or retired judge of the High Court on a recommendation made to him by the Governor<sup>17</sup>.

There must be an electoral roll for each Halqa Panchayat, which shall be created by the Election Authority in accordance with the requirements of this Act.

Halqa Panchayat sarpanches are elected by the Halqa Panchayat voters. Elections to the Halqa Panchayat must be held one month before the term expires or within six months of the date of supersession. The Sarpanch, Naib-Sarpanch, and each panch of the Halqa Panchayat shall serve for a term of five years from the date of its inception. A person is ineligible to serve on the Halqa Panchayat if he<sup>18</sup>:

- Is not a legal permanent resident of the State.
- Is the state employee of the Government or any local body.
- Is below twenty-one years of age.



- Is of unsound mind, as determined by a competent court.
- Has been declared insolvent by a competent court.
- Is an employee of a Halqa Panchayat.
- Is a Lamberdar (Numbardar) or Village Chowkidar.
- Has been removed from the government, a local institution, or a Halqa Panchayat.
- Has been convicted of and sentenced for a crime.

#### **Functions of Sarpanch and Naib-Sarpanch:**

- The Sarpanch shall preside over the Halqa Panchayat meeting and shall be accountable for the Halqa Panchayat's records.
- The Sarpanch shall be usually accountable for the executive and financial administration of the Halqa Panchayat and shall exercise administrative supervision and control over the Halqa Panchayat's employees in line with the regulations made in this regard.
- In the absence of the Sarpanch, the Naib-Sarpanch shall preside over the meetings of Halqa Panchayat.

#### **Removal of Sarpanch and Naib-Sarpanch of Halqa Panchayat<sup>19</sup>:**

A Sarpanch or Naib Sarpanch is considered to have vacated his office immediately if a resolution expressing lack of confidence in him is passed by a majority of not less than two-thirds of the panches of Halqa Panchayat at a meeting especially convened for the reason in the prescribed manner on the following basis:

- Gross misconduct
- Negligence in duty
- Failure to join six consecutive Halqa Panchayat sessions.

A Sarpanch, Naib-Sarpanch, or Panch of Halqa Panchayat may resign from his position by writing to the appropriate authorities, and his post would then become vacant. Whenever a position becomes available due to the death or resignation of a panch or Sarpanch, the vacancy must be filled within six months by election or nomination. The government may also substitute panchayats if they fail to discharge the tasks imposed on them by or under this act.

#### **Powers and Functions of Halqa Panchayat<sup>20</sup>:**

According to the Act, the functions of Halqa Panchayats include:

To prepare the Halqa's development plans.

To take steps for the implementation of the developmental plans

To particularly address the issues of soil conservation, social forestry, water management, rural industrialisation, agriculture, sheep and animal husbandry, health, sanitation, and other welfare programmes.

Building, shop, and entertainment house regulations, as well as inspections of offensive or dangerous trades.

Creating and maintaining slaughterhouses, regulating the sale and preservation of meat, and processing skins and hides are all examples of government-mandated activities.

Regulation of the sale and storage of fish, vegetables, and other perishable foods.

Regulation of fairs and festivals

Preparation and adoption of special developmental plans for poverty alleviation and job creation through and in addition to programmes such as the Integrated Rural Development Program, Rural Landless Employment Guarantee Program, National Rural Employment Program, and Housing for Scheduled Castes and Backward Classes.

All matters requiring regulation, monitoring, maintenance, and support that are incidental to or essential for the more effective fulfilment of the aforementioned tasks, as well as those that may be delegated to Halqa Panchayat under the terms of the Act.

**Block Development Council (BDC)<sup>21</sup>:**

The government should establish a Block Development Council for each block in the state. The Block Development Council will be made up of the following people:

- A Chairman
- All Sarpanches of Halqa Panchayats falling within the Block.
- Chairman, Marketing Society within the Block's jurisdiction: Provided, however, that the prescribed authority may, if it believes that women, Scheduled Castes, or any other class are underrepresented on the Block Development Council, nominate no more than two people to serve on the Block Development Council.
- Every Block Development Council must have a Chairman who is eligible to be elected as a Panch.
- Every Block Development Council shall have a Vice-Chairman, who shall be elected from among the members of the Block Development Council.
- The Secretary of the Block Development Council shall be the Block Development Officer.

**Chairman<sup>22</sup>:**

The Chairman of the Block Development Council is elected by the electoral College, which consists of Panches and Sarpanches from Halqa Panchayats within the Block. The head of the Block Development Council will be elected one month before the term expires. Every Block Development Council must meet at least once a month.

**Powers and functions of the Chairman and the Vice-Chairman:**

- The meeting of the Block Development Council will be presided over by the Chairman and, in his absence, the Vice-Chairman.
- The Chairman, and in his absence, the Vice-Chairman, shall have overall control and supervision over the Block Development Council's employees and affairs.

The Chairman of the Block Development Council will serve a five-year term beginning on the date he is officially elected. The tenure of the Vice-Chairman and other members of the Block Development Council must be concurrent with their tenure as Sarpanch of the relevant Halqa Panchayat.

**Removal of Chairman<sup>23</sup>:**

The Chairman of the Block Development Council is considered to have resigned if a motion of non-confidence moved against him by any member on any of the following grounds. The motion passed by a majority of not less than two-thirds of the total number of Panches and Sarpanches of Halqa Panchayats of the Block at a special meeting convened in the prescribed manner.

The grounds for disqualification are:

- Gross misconduct
- Negligence in duty

**Property and finances of the Block Development Council<sup>24</sup>:**

The Block Development Council must have the authority to purchase, hold, or dispose of property and to engage into contracts in line with the applicable rules.

For each Block Development Council, a "Block Development Council Fund" will be established, consisting of grants granted by the Government in proportion to the number of Panchayat Halqas in a Block and revenues allotted by the District Planning and Development Board.

**Powers and Functions:**

- Building, maintaining, and supervising the Inter-Halqa Panchayat Communication System.
- Administrative and technical support to Halqa Panchayats, as well as an assessment of their performance.
- Supervise agricultural, rural development, animal husbandry/sheep husbandry, and social forestry, education, and public health strategies.



- Monitor and supervise the execution of poverty-relief programmes such as the National Rural Employment Program, the Integrated Rural Development Programme, and the Rural Landless Employment Guarantee Program.
- Implement procedures to ensure efficient supervision and oversight of various development programmes.
- To carry out any additional duties delegated to it by the government or the District Planning and Development Board.

#### **District Planning and Development Board<sup>25</sup>:**

A District Planning and Development Board should be established in each District. The District Planning and Development Board shall be made up of the following members:

- Chairman of the District's Block Development Councils.
- Members of Parliament from the region.
- Members of the State Legislature representing the District's constituents.
- Chairman of the District's Town Area Committees.
- The President of the Municipal Council, if available.
- Members of Parliament from the region.
- Members of the State Legislature representing the District's constituents.
- Chairman of the District's Town Area Committee
- The President of the Municipal Council, if available.

The Board's Chairman will be nominated by the Government from among the members of the District Planning and Development Board.

The Vice- Chairman will be chosen from among the members of the District Planning and Development Board. No government employee may be elected Vice-Chairman of the Board.

The Chief Executive of the District Planning and Development Board is to be the District Development Commissioner, and he shall be aided in carrying out his duties by the District level heads.

#### **Finances<sup>26</sup>:**

All funding granted by the government or any other body for district development will flow via the District Planning and Development Board in accordance with the District plans.

#### **Functions:**

- To design developmental programmes for the District, identify priorities for different schemes, and analyse issues relevant to the District's rapid growth and economic upliftment.
- To examine the status and successes of development plans and projects on a regular basis and offer appropriate recommendations.
- To create quarterly and yearly plans for the District.
- To develop and finalise the District's plan and non-plan budgets.
- Establishing policy guidelines for the Block Development Council and the Halqa Panchayat.
- To approve the Block Development Council's budget and to oversee and coordinate its operations.
- To take specific steps to alleviate poverty and create jobs, as well as to provide help to Halqa Panchayats in this regard.
- Promoting and assisting cooperative institutions.
- To carry out any additional activities or obligations that the government may assign or entrust to it from time to time.

#### **Panchayati Adalat<sup>27</sup>:**

Each halqa would have its own Panchayati Adalat. The Panchayati Adalat shall be composed of five members nominated by the prescribed authority from a panel formed and proposed by the halqa Panchayat from its voters. Each Panchayat Adalat member should:

- Be at least 30 years old.
- Be literate.
- Not be a Sarpanch, Naib-Sarpanch, or Panch.



- Not be employed by the government or any municipal authority or company.

The tenure of a Panchayati Adalat member is five years from the date of nomination. The quorum should be three members of the Panchayati Adalat. The Panchayat Adalat has both criminal and civil jurisdiction. The criminal jurisdiction is broad and encompasses a wide range of offences. Civil jurisdiction is confined to claims for established amounts, damages, breach of contract not affecting immovable property, and compensation for wrongfully taking or harming immovable property up to Rs. 3,000. The establishment of Panchayati Adalat at the halqa level is a highly commendable accomplishment.

**The Jammu and Kashmir 2001, 2011, and 2018 Panchayati Raj elections:**

The Jammu and Kashmir Panchayati Raj Act 1989 states that the state shall have three Panchayati Raj Institutions: Halqa Panchayats, Block Development Councils, and District Planning and Development Boards. At the moment, however, only Halqa Panchayats and Block Development Councils exist at the village and block levels, respectively.

**Panchayat election of 2001<sup>28</sup>:**

Table-1.1

Jammu division	Voter Turnout (per cent)	Kashmir division	Voter turn out Percent
Rajouri	76.00	Baramulla	48.00
Poonch	79.00	Kupwara	66.00
Kathua	78.00	Sringar	32.00
Jammu	82.00	Budgam	Nil
Udhampur	73.00	Leh	69.50
Doda	52.00	Kargil	77.00
		Anantnag	Nil
		Pulwama	Nil

The voting percentage reflects both the panch and sarpanch constituencies. According to the Jammu and Kashmir panchayati raj legislation, a panch is a member of the halqa panchayat, whether elected or appointed. Sarpanch also refers to the halqa panchayat's sarpanch.

Only a few Sarpach and Panch constituencies in Kashmir's valley went to polls. Polling took conducted in 208 of the 2348 Baramulla seats, 152 of the 1695 Kupwara constituencies, and 53 of the 759 Srinagar constituencies. There was no voting in any of Badgam's 1022 constituencies.

Due to the militancy problem, there was no voting in various constituencies throughout the Kashmir region. So many constituencies remain vacant in militancy hit areas. So the table shows the percentage of voting held in these areas.

**Jammu and Kashmir Panchayati Election 2011<sup>29</sup>:**

The panchayat elections were held in 16 stages, with 4130 sarpanches (2164 in Kashmir and 1966 in Jammu) and 29,719 panches (15,959 in Kashmir and 13,760 in Jammu) being elected. More than 29,000 polling stations were set up to conduct these elections, with over 50 lakh people eligible to vote. The rural masses were ecstatic about the panchayat





elections. They have shown a strong interest in and participation in the panchayat elections. Over 79% of the electorate utilised their voting rights.

These elections were significant because they granted women and SC/STs reservation in the PANCH seats for the first time. Due to reservations, 9424 of the 28248 panches elected across the state are women, accounting for 33.3% of all elected panches. However, in the case of sarpanch seats, the fairer sex in Jammu and Kashmir has been unable to penetrate into the state's male-dominated politics. Only 28 women were elected to the 4,113 sarpanch seats in the state's 22 districts, for a poor success percentage of 0.68 percent. It is because there is no reservation for women in sarpanch seats.

**Jammu and Kashmir Panchayati Election 2018:**

**Table 1.2:**

Phase wise voter turnout	JAMMU DIV	KASHMIR DIV	LADAKH	KASHMIR VALLEY	J&K TOTAL
PHASE I	79.4%	64.5%	65.2%	64.4%	74.1%
PHASE II	80.4%	52.2%	66.4%	44.2%	71.1%
PHASE III	83.0%	55.7%	70.9%	48.2%	75.2%
PHASE IV	82.4%	32.3%	NA	32.3%	71.3%
PHASE V	85.2%	33.7%	NA	33.7%	71.1%
PHASE VI	84.6%	17.3%	NA	17.3%	76.9%
PHASE VII	84.8%	30.3%	NA	30.3%	75.3%
PHASE VIII	85.1%	49.6%	NA	49.6%	79.9%
PHASE IX	NA	38.8%	NA	38.8%	38.8%
ALL PHASES	83.5%	44.4%	67.8%	41.3%	74.0%

Source: J and k state election commission

In the general panchayat elections of 2018 in Jammu and Kashmir, Kashmir saw 64% of voters turn out, while over 75% of the population exercised their right to vote in the Jammu area.

In Kashmir, Kupwara recorded the highest turnout (70 percent), followed by Baramulla (69 percent). Bandipore had a voter turnout of 56 percent, while Budgam had a voter turnout of 30 percent. The lowest turnout was in Srinagar, at 22 percent.

Udhampur had 83.62 percent turnout, Kathua had 80.2 percent, Rajouri had 78 percent, Ramban had 75.31 percent, and Poonch had 70 percent<sup>30</sup>.

The state witnessed an average voter participation of 74% throughout nine rounds, according to figures released by the chief election officer. However, there were significant disparities between the state's various regions: whereas the Jammu division had an average participation of 83.5%, the Kashmir Valley's 10 districts had only 41.3%<sup>31</sup>.

**CONCLUSION:**

The findings lead to the conclusion that Panchayati Raj in Jammu and Kashmir is improving day by day. The Jammu and Kashmir Panchayati Raj Act, 1989, failed to turn panchayats into self-governing entities because of institutional and structural faults, as well as militancy-related threats that lagged behind these institutions. However, the union territory government is continuing to make every effort to raise the status of Panchayati Raj institutions and bridge the communication gap between these institutions and the general public. People are participating more actively in panchayati raj matters as they recognise their significance. However, some militancy-affected areas still face low voter turnout and the absence of Panchayati Raj. However, the overall situation is good except in certain areas. The union territory's Panchayati Raj must develop its infrastructure, address grievances, and improve its regulations in order to achieve its goal of democratic decentralization.



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