

## PANCHAYATI RAJ INSTITUTIONS IN JAMMU AND KASHMIR: CASE STUDIES OF BEST PERFORMING PANCHAYATS

Dr. Ashwani Kumar<sup>1</sup>

### Abstract

*Panchayati Raj institutions (PRIs) play an important role in realising the peoples' participation in political decision making at grassroots level. In India, the Panchayati Raj institutions are presently working as per the provisions of the 73<sup>rd</sup> Constitutional Amendment. Jammu and Kashmir (J&K) have its own Panchayati Raj Act as 73<sup>rd</sup> Amendment has not been extended to J&K due to Article 370. In Jammu and Kashmir, the Panchayati Raj institutions are established under the Jammu and Kashmir Panchayati Raj Act, 1989. The present paper is an attempt to capture the experiences of three best performing halqa panchayats from Jammu region that were awarded Panchayat Sashaktikaran Puraskar by the Union Ministry of Panchayati Raj under the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) in 2013. In this research paper an effort has been made to understand the functioning of these panchayats so that best practices of these halqa panchayats can be replicated in other panchayats as well.*

### Introduction

Panchayats are part of India's tradition of local dispute resolution and rural local governance based on social consensus. Panchayats were revived as statutory local bodies during the colonial period in the 1920s by legislation. Mahatama Gandhi gave a central place to panchayats in his conception of *Gram Swaraj* for rural India. The Constitution of independent India in 1950 did not have such a central place for panchayats but included a Directive Principle of State Policy in Article 40 that 'the state shall take steps to organise panchayats and endow them with such powers and authority as may be necessary to function as units of self-government' (Buch 2010).

B.R. Mehta Committee and Ashok Mehta Committee set up by the central government in 1957 and 1978 respectively provided the much-needed impetus to the development of PRIs in India. However, it was the implementation of 73rd Constitution Amendment Act, 1992 that marks a new era in the process of decentralization.

The passage of the 73rd Constitution Amendment Act, 1992 marks a new era in the federal democratic set up of the country and provides Constitutional status to the PRIs. The main features of the Act are -

- Gram Sabha shall be recognised as the life line of the panchayats. The panchayat shall be accountable to the Gram Sabha

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<sup>1</sup> Assistant Professor, Department of Sociology and Social Work, Himachal Pradesh University, Shimla

- there will be direct election in all the three tiers of governance, i.e., Gram Panchayat at the village level, Taluka or Block Panchayat at the intermediate level and Zilla Panchayat or Parishad at the district level
- at least one-third of the total seats at all levels shall be reserved for women of whom one-third shall be from the Scheduled Castes and Scheduled Tribes
- each panchayat will have a tenure of five years and in case dissolved by the State government earlier, fresh election will be held within a period of six months
- there will be a separate Election Commission and also Finance Commission for panchayats in every State (Mohanty 1995)

Panchayati Raj institutions has its own history as far as Jammu and Kashmir is concerned. The political turmoil that has engulfed the State for a long time now has seriously impacted the development efforts of successive governments. The present Panchayati Raj institutions in J&K are constituted under the provisions of the Jammu and Kashmir Panchayati Raj Act, 1989. The 73rd Amendment has not been extended to the Jammu and Kashmir State due to special status of J&K under Article 370 but some of its provisions were included through amendments in the State Act over a period of time.

The salient features of the Jammu and Kashmir Panchayati Raj Act 1989 (amended till date) are:

- provision for a three-tier structure consisting of halqa panchayats, Block Development Council and District Planning and Development Board;
- holding of panchayat elections after five years but within six months in case of supersession of a panchayat;
- only person above the age of twenty-five years of age can contest election for halqa panchayats;
- there shall be a *Halqa Majlis* (Gram Sabha) comprising all the persons whose names are included in the electoral roll of panchayat;
- provision of 1/3<sup>rd</sup> reservation for women and to Scheduled Castes and Scheduled Tribes as per their population in panchayats;
- provision for State Election Commission to superintend, direct and control the conduct of all elections under this Act;
- constitution of *Panchayati Adalat* (Panchayat Courts).

The present research paper is an attempt to capture the experiences of three best performing halqa panchayats that were awarded *Panchayat Sashaktikaran Puraskar*. In 2013 three halqa panchayats namely Kootah and Nagrota from Kathua district and Nagrota halqa panchayat

from Jammu district were awarded *Panchayat Sashaktikaran Puraskar* by the Union Ministry of Panchayati Raj under the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS). These awards are given on National Panchayati Raj Day observed on 24<sup>th</sup> April every year to motivate States to empower the panchayats by devolving funds, functions and functionaries. Best utilisation of powers and services by the panchayat was the reason for conferring award.

The paper is meant to study the functioning of selected panchayats with regard to organisational aspects like regular conduct of panchayat and halqa majlis meetings, maintenance of halqa panchayat account, etc. It will explore the role of the panchayats in the formulation and implementation of annual plans, efforts for income generation and implementation of rural development programmes.

## Research Methodology

The present study has been conducted in the halqa panchayats of Jammu and Kathua districts. Kootah and Nagrota panchayat from Kathua district and Nagrota panchayat from Jammu district were selected for the purpose of study. The criteria of selecting these best performing panchayats were the *Panchayat Sashaktikaran Puraskar* that was given to these panchayats in recognition of their performance by the Union Ministry of Panchayati Raj. The study is mainly exploratory and purely empirical in nature. The primary data have been collected through fieldwork. In order to collect the primary data, the case study method was used. Case studies were conducted of the selected halqa panchayats to understand the overall functioning of these panchayats and to capture the qualitative dimensions.

## Justification of the Study

In Jammu and Kashmir, the Panchayati Raj institutions are not well established due to the weak Panchayati Raj Act as PRIs do not enjoy constitutional status in Jammu and Kashmir. The 73<sup>rd</sup> Amendment is not applicable to the State of Jammu and Kashmir as the consent of J&K Legislative Assembly is needed for its application due to Article 370. This led to infrequent panchayat elections in J&K State as 2011 panchayat elections were held after a gap of 10 years and earlier 2001 panchayat elections were held after a gap of 23 years. Further the powers transferred to the J&K panchayats are very less as only 14 department functions have been transferred in comparison to 29 subjects transferred to other States under Schedule XI through 73<sup>rd</sup> Amendment. In such circumstances the recognition of the performance of three halqa panchayats from Jammu region in 2013 under PEAIS presents an interesting case of study. Thus, the case studies of these award winning halqa panchayats would be helpful in understanding the unique factors that contributed in getting this recognition. The in-depth studies would be relevant in replicating the success stories of these panchayats in other halqa panchayats as well.

## Panchayat Empowerment and Accountability Incentive Scheme

Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) was introduced in 2005-06 in compliance with the recommendations of 5th Round Table Conference of State

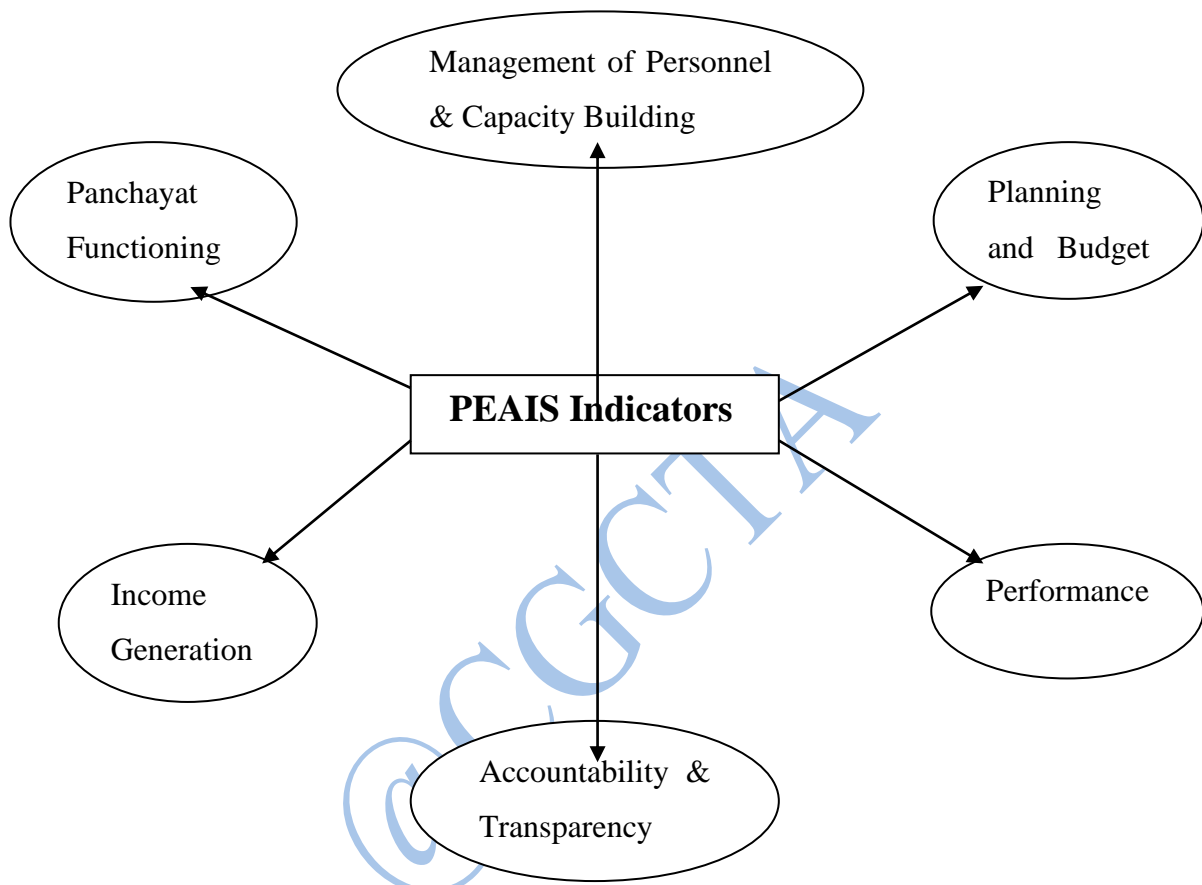
Ministers in charge of Panchayati Raj held at Srinagar on 28th-29th October, 2004. The scheme aims to:

- Incentivise States to empower Panchayats through devolution of 3Fs (functions, funds and functionaries) in accordance with Article 243G read with Eleventh Schedule of the Constitution.
- Incentivise Panchayats to put in place accountability systems to make their functioning transparent and efficient (Chathukulam 2013).

PEAIS has focused on the first objective of incentivising States to devolve 3Fs to PRIs. The methodology has been to commission an independent agency to conduct a study to prepare a Devolution Index (DI) and rank States on it. The best performing States are then given incentive amounts. The DI has been continuously improved and refined over the years. The National Council of Applied Economic Research (NCAER) developed a Devolution Index to measure the State/PRIs performance on the basis of devolution of three F's viz. finance, functions and functionaries. The assessment is carried out in two-stages with the first stage examining whether the State/UT has created conducive environment that enables the transfer of powers to the local bodies. Accordingly, the first stage checks whether the States have setup the District Planning Committee, established State Election Commission and State Finance Commission, and held PRI elections every five year. The Devolution Index is calculated for those States which have satisfied the criteria specified in the first stage. The three pillars in the Devolution Index capture either directly or indirectly the level of financial discretion, transfer of functions and steps taken to develop the capacity of functionaries of PRIs (NCAER 2009).

The best panchayat at all the three levels is decided through a process of scoring based on the devolution index and responses to a questionnaire that capture important aspects relating to activities of a model Panchayats. The six indicators that were considered for awarding *Panchayat Sashaktikaran Puraskar* are shown in Figure 1. These six indicators cover important parameters like regularity of panchayat meetings including those of gram sabha and standing committees, attendance in these meetings particularly the representation of SC and STs in the Gram Sabhas, resolutions undertaken on various development works, identification of various beneficiaries, implementation of the State and Central Government schemes, efforts for achieving total sanitation, development of effective plans for raising own resources, systems for effective tax collection, strengthening of local institutions, capacity building of the elected representatives and the staff and having mechanism for transparency and accountability and so on (NCAER 2009).

**Figure 1: PEAIS Indicators**



### **Case Studies of Best Performing Panchayats**

In 2013 three halqa panchayats namely Kootah and Nagrota from Kathua district and Nagrota halqa panchayat from Jammu district were awarded *Panchayat Sashaktikaran Puraskar* by the Union Ministry of Panchayati Raj under the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS). The case studies of these panchayats are conducted to understand the performance of these panchayats on the various parameters of devolution framework used under PEAIS. The detailed case studies of these three panchayats are discussed in detail under the following sections.

#### **I. Case Study of Nagrota Panchayat of Jammu District**

## **A Profile of Nagrota Panchayat**

Nagrota panchayat is situated in the Dansal block of Jammu district in the State of Jammu and Kashmir. Dansal block is one of the eight blocks of Jammu district and it has 34 halqa panchayats. Nagrota panchayat is headed by male Sarpanch and also comprises of eight other panchayat members. Three women panchayat members are also elected among these members. The Sarpanch of the Nagrota panchayat has vast previous political experience as he has been representing this panchayat since 1977. He has won the three previous panchayat elections of 1977, 2001 and 2011. All the panchayat members share cordial relationship and they maintain healthy communication with the local population as well.

Nagrota panchayat comprises of population from various communities like Rajputs, Brahmans, SCs, STs and Muslims. Rajputs and Brahmans constitute the majority. The people are mainly involved in business and government sector for employment. The dependence on agriculture is very less. Panchayat office is located in the center of the Nagrota town and Block Development Office also runs from the same premises. They allotted the space for BDO office as they don't want BDO office to be shifted from here. There is one primary health centre working here. Two public distribution centres and one kerosene depot is also there.

## **Panchayat Performance and Functioning**

Nagrota panchayat is one of the best performing panchayats of Jammu region. In recognition of the efforts of the panchayat, Panchayat Shashaktikaran Puraskar was given to Nagrota panchayat in 2013 by the Union Ministry of Panchayati Raj. The personal leadership of panchayat sarpanch is one of the main strength of this panchayat. Panchayat Sarpanch has vast previous political experience as he has been representing this panchayat since 1977. The panchayat office opens daily despite of the dissolution of panchayats in July 2016.

Nagrota panchayat has been quite active in the field of school education and made special efforts for the opening of government schools within panchayat jurisdiction. They successfully fought for the vacation of Jammu Development Authority (JDA) land so that government middle school can be constructed there. National cadet Corps (NCC) is started in government higher secondary school. Lot of work has been done on health and sanitation. Primary health centre is constructed on the panchayat land. Due to the efforts of panchayat members, Sulabh Complex has been constructed in the Nagrota panchayat. There are seven Anganwari centres in place.

The efforts to raise resources for the local development also deserve attention. They have imposed an annual Rs 20,000/- tax on the towers of telecom companies and also imposed small local taxes on tractors, shops and reddiwallas. They are fighting a case against telecom companies to further increase the tax on towers. They also made efforts to get maximum utilisation of resources under centrally sponsored schemes and community development funds of local Member of Legislative Assembly (MLA) and Member of Parliament (MP).

They divide the resources equally among all the panchayat wards and works are decided through consensual mode.

The grievances of people are redressed properly and complaint box is placed outside panchayat office. There is a functioning panchayat adalat and it comprises of a Chairman and four other members. Local disputes are settled in panchayat adalat as prescribed in the Panchayati Raj Act. The work in the field of sanitation is good as all the households have individual household latrines except some migrant labourers' colonies. In most of the households' toilets were constructed under Central Rural Sanitation Programme, 1986 due to the efforts of the panchayat about two decades ago. The newly constructed households are given financial assistance under Nirmal Bharat Abhiyan (NBA) and now Swachh Bharat Abhiyan (Gramin) [SBM (G)].

Halqa majlis is an equivalent of gram sabha in J&K. It is mandatory to held two meetings of halqa majlis annually. Nagrota panchayat has been calling halqa majlis meetings to finalise the annual plans and for auditing the rural development programmes. They also invited the government officials like principles of local schools to attend halqa majlis meetings. The drum is used to call the people for halqa majlis meetings.

Nagrota panchayat has been regularly organising the republic day function and ensure the participation of maximum number of schools. This year about 13 schools have participated in the republic day function. The tehsil office as well as block development office are within the panchayat area. Panchayat has made unique efforts to support the marriage of poor girls through voluntary contribution. They provide financial assistance of Rs 5,000/- or in kind to poor girls. Cremation ground was constructed by the local contribution and they have opened an account in Regional Rural Bank for the voluntary contribution. The committee of 20 members is constituted to oversee the maintenance of cremation ground. Members are voluntarily contributing Rs 100/- every month in the account and other people can also contribute there.

The performance of the Nagrota panchayat has been summarised in the Table 1 as given below:

**Table 1: Performance of Nagrota Panchayat (Jammu) on PEAIS Indicators**

S. No.	PEAIS Indicators	Performance
1.	Panchayat Functioning	<u>Panchayat Meetings</u> <ul style="list-style-type: none"> <li>• Has regularly held two meetings in a month</li> <li>• No meeting was cancelled due to lack of quorum</li> <li>• Agenda and minutes are circulated</li> </ul>

		<p><u>Halqa Majlis</u></p> <ul style="list-style-type: none"> <li>• Two meetings held annually as mandated but some emergency halqa majlis meetings are also held.</li> <li>• No adjournment due to lack of quorum</li> <li>• Sufficiently represented by marginalised (SCs/STs/Women)</li> <li>• Minutes maintained</li> <li>• Social Audit of Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA)/ Public Distribution System (PDS) conducted</li> </ul> <p><u>Standing Committees</u></p> <ul style="list-style-type: none"> <li>• Standing committees formed on seven subjects like Public Health Engineering (PHE), Public Works Department (PWD), health, education, anganwaris, etc.</li> <li>• Meetings were conducted frequently whenever the need arises</li> </ul>
2.	Management of Personnel and Capacity Building	<p><u>Training of Elected Representatives</u></p> <ul style="list-style-type: none"> <li>• Sarpanch as well as Panchayat members attended training programmes organised annually by government and also four training programmes organised by J&amp;K Institute of Management, Public Administration and Rural Development (J&amp;K IMPARD)</li> </ul> <p><u>Officials at Panchayat Meetings</u></p> <ul style="list-style-type: none"> <li>• Officials of ten departments like Rural Development, Revenue, health, horticulture, education, social welfare, etc. are usually present.</li> </ul> <p><u>Review of Work of Officials</u></p> <ul style="list-style-type: none"> <li>• Sharing of officials' experiences but no review of work done by officials.</li> </ul>
3.	Planning and Budget Formulation	<p><u>Preparation of Annual Plan</u></p> <ul style="list-style-type: none"> <li>• Annual plan prepared and submitted in</li> </ul>



		<p>advance</p> <p><u>Process of Preparation of Plan</u></p> <ul style="list-style-type: none"> <li>Discussed in halqa majlis with various stakeholders with their suggestions being partially incorporated. Drum is beaten to call people for halqa majlis meetings.</li> </ul> <p><u>Budget</u></p> <ul style="list-style-type: none"> <li>Budget prepared as per norms</li> <li>Gender budget is not prepared</li> </ul>
4.	Income Generation	<p><u>Planning for own income</u></p> <ul style="list-style-type: none"> <li>Rs 20,000 annual fee collected from each of the seven mobile companies' towers in the panchayat jurisdiction.</li> <li>Taxes are collected from local shop owners, tractors and new building maps</li> </ul> <p><u>Voluntary Contributions</u></p> <ul style="list-style-type: none"> <li>Donations in the sectors of social welfare, health, education and for building cremation ground was received by the Panchayat from local people.</li> </ul>
5.	Performance	<p><u>Physical Achievement</u></p> <ul style="list-style-type: none"> <li>Physical targets set under MGNREGA, SBM (G), Clean India Green India, tiling streets, etc were successfully met</li> </ul> <p><u>Expenditure against allotment</u></p> <ul style="list-style-type: none"> <li>Allocated amount under various schemes was spent</li> <li>Expenditure on all wards and all sections of population like SC/ST and women are covered</li> </ul> <p><u>Civic Duties</u></p> <ul style="list-style-type: none"> <li>Almost 100% tiling/blacktopping of streets</li> <li>All households are provided tapped water connections and drainage facility</li> <li>All households have individual latrines except some migrant labour colonies</li> <li>100% registration of births and deaths</li> </ul> <p><u>Panchayat and Local Insitutions</u></p>

		<ul style="list-style-type: none"> <li>• Strengthening of schools, PDS shops, Health facilities and Anganwaris</li> </ul> <p><u>Special Initiatives</u></p> <ul style="list-style-type: none"> <li>• Three blood donation camps were organised</li> <li>• Poor girls are provided financial assistance of Rs 5,000 or help in kind during marriage through voluntary contribution</li> <li>• Republic Day is celebrated every year with the participation of all surrounding government and private schools</li> </ul>
6.	Accountability and Transparency	<p><u>Maintenance of Accounts</u></p> <ul style="list-style-type: none"> <li>• Halqa panchayat accounts are maintained in prescribed format, updated and authenticated and have been placed before the halqa majlis.</li> </ul> <p><u>Audit</u></p> <ul style="list-style-type: none"> <li>• District Panchayat Officer (DPO) audited the accounts regularly</li> </ul> <p><u>Grievance Redressal</u></p> <ul style="list-style-type: none"> <li>• Complaint box is placed outside panchayat premises and grievances were addressed up to maximum extent</li> </ul> <p><u>Compliance to Right to Information (RTI) Act</u></p> <ul style="list-style-type: none"> <li>• RTI applications are properly replied within stipulated period</li> </ul>

## II. Case Study of Kootah Panchayat of Kathua District

### A Profile of Kootah Panchayat

Kootah panchayat is situated in the Hira Nagar block of Kathua district in the State of Jammu and Kashmir (J&K). Hira Nagar block is one of the eight blocks of Kathua district and it has

33 halqa panchayats. Kootah panchayat is headed by male Sarpanch and also comprises of ten other panchayat members. Three women panchayat members are also elected among these members. The Sarpanch of the Kootah panchayat has been politically very active but did not have any previous political experience. He was elected for the first time in 2011.

Brahmans are the single largest community in Kootah panchayat and rest of the households are of Scheduled Castes (SCs) and Scheduled Tribes (STs). The economic condition of people is very sound and people are not dependent on agriculture for their livelihood. Government employment and business are the major occupations of the villagers. Panchayat is about 10 km from Block Development Office. There are two health centres (dispensaries) in the panchayat that also includes one ayurvedic dispensary. There are four government schools comprising one higher secondary, one high school and two primary schools. There are also three private schools in the village.

### Panchayat Performance and Functioning

Kootah panchayat has also been awarded *Panchayat Sashaktikaran Puraskar* in 2013 for best performing panchayat. The personality factor has again played an important role in the better functioning of this panchayat. Kootah panchayat area is developed in comparison to surrounding villages. All the streets are tiled and proper drainage facilities are there. Most of the households have toilets and economic condition of people is very good. Kootah panchayat has been following a system of awarding works without the involvement of contractors. Panchayati adalat was constituted there for local disputes resolution. The panchayat has been conducting the panchayat meetings regularly. The halqa majlis meetings were conducted to finalise annual plans and to select the beneficiaries of various schemes. The panchayat has taken steps to distribute the funds equally among all the wards so that the charges of discrimination could be checked.

The performance of the Kootah halqa panchayat on various indicators of the PEAIS has been summarised in the table 2 as given below:

**Table 2: Performance of Kootah Panchayat (Kathua) on PEAIS Indicators**

S. No.	PEAIS Indicators	Performance
1.	Panchayat Functioning	<p><u>Panchayat Meetings</u></p> <ul style="list-style-type: none"> <li>• Has regularly held two meetings in a month</li> <li>• No meeting was cancelled due to lack of quorum</li> <li>• Agenda and minutes are circulated</li> </ul> <p><u>Halqa Majlis</u></p> <ul style="list-style-type: none"> <li>• Two meetings held annually as mandated.</li> <li>• No adjournment due to lack of quorum</li> </ul>

		<ul style="list-style-type: none"> <li>• Sufficiently represented by marginalised (SC/Women)</li> <li>• Minutes maintained</li> <li>• Social Audit of MGNREGA, PDS, National Social Assistance Programme (NSAP), State Rural Livelihood Mission are conducted</li> </ul> <p><u>Standing Committees</u></p> <ul style="list-style-type: none"> <li>• Standing committees formed on eight important subjects like PHE, PWD, health, education, anganwaris, social welfare, etc.</li> <li>• Meetings were conducted frequently whenever the need arises</li> </ul>
2.	Management of Personnel and Capacity Building	<p><u>Training of Elected Representatives</u></p> <ul style="list-style-type: none"> <li>• Sarpanch as well as Panchayat members attended training programmes organised annually by government. Sarpanch also attend four training programmes organised by J&amp;K IMPARD.</li> </ul> <p><u>Officials at Panchayat Meetings</u></p> <ul style="list-style-type: none"> <li>• Officials of government departments like Rural Development, Revenue, health, horticulture, education, social welfare, etc. are usually present.</li> </ul> <p><u>Review of Work of Officials</u></p> <ul style="list-style-type: none"> <li>• Sharing of officials' experiences but no review of work done by officials.</li> </ul>
3.	Planning and Budget Formulation	<p><u>Preparation of Annual Plan</u></p> <ul style="list-style-type: none"> <li>• Annual plan prepared and submitted in advance</li> </ul> <p><u>Process of Preparation of Plan</u></p> <ul style="list-style-type: none"> <li>• Discussed in halqa majlis with various stakeholders with their suggestions being partially incorporated.</li> </ul> <p><u>Budget</u></p> <ul style="list-style-type: none"> <li>• Budget prepared as per norms</li> <li>• Gender budget is not prepared</li> </ul>

4.	Income Generation	<p><u>Planning for own income</u></p> <ul style="list-style-type: none"> <li>Rs 20,000 annual fee collected from mobile companies towers in the panchayat jurisdiction.</li> </ul> <p><u>Voluntary Contributions</u></p> <ul style="list-style-type: none"> <li>Donations in the sectors of social welfare, health, education and for building cremation ground was received by the Panchayat from local people.</li> </ul>
5.	Performance	<p><u>Physical Achievement</u></p> <ul style="list-style-type: none"> <li>Physical targets set under MGNREGA, SBM (G), etc. were successfully met</li> </ul> <p><u>Expenditure against allotment</u></p> <ul style="list-style-type: none"> <li>Allocated amount under various schemes was spent</li> <li>Expenditure on all wards and all sections of population like SC/ST and women are covered</li> </ul> <p><u>Civic Duties</u></p> <ul style="list-style-type: none"> <li>Almost 100% tiling/blacktopping of streets</li> <li>Most of the households are provided tapped water connections and drainage facility</li> <li>Most of the households have individual latrines.</li> </ul> <p><u>Panchayat and Local Insitutions</u></p> <ul style="list-style-type: none"> <li>Strengthening of schools, PDS shops, Health facilities and Anganwaris</li> </ul> <p><u>Special Initiatives</u></p> <ul style="list-style-type: none"> <li>Two wells are constructed with the voluntary contribution</li> <li>Poor girls are provided financial assistance or help in kind during marriage through voluntary contribution</li> </ul>
6.	Accountability and	<p><u>Maintenance of Accounts</u></p>

	<p>Transparency</p>	<ul style="list-style-type: none"> <li>• Halqa panchayat accounts are maintained in prescribed format, updated and authenticated and have been placed before the halqa majlis.</li> </ul> <p><u>Audit</u></p> <ul style="list-style-type: none"> <li>• DPO's audited the accounts regularly</li> </ul> <p><u>Grievance Redressal</u></p> <ul style="list-style-type: none"> <li>• Peoples grievances were addressed in panchayat meetings or through other official channels</li> </ul> <p><u>Compliance to RTI Act</u></p> <ul style="list-style-type: none"> <li>• RTI applications are properly replied within stipulated period</li> </ul>
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### III. Case Study of Nagrota Panchayat of Kathua District

#### A Profile of Nagrota Panchayat

Nagrota panchayat is situated in the Barnoti block of Kathua district in the State of Jammu and Kashmir (J&K). Barnoti block is one of the eight blocks of Kathua district and it has 45 halqa panchayats. Nagrota panchayat is headed by male Sarpanch and also comprises of six other panchayat members. Two women panchayat members are also elected among these members. The Sarpanch of the Nagrota panchayat has been politically active but did not have any previous political experience. He was elected for the first time in 2011

The Nagrota panchayat is mainly populated by Scheduled Castes (SCs) as about half of the population is of SCs. The other main communities are Other Backward Classes (OBCs), Rajputs, Brahmans and Gujjars. The economic condition of people is not good as people are mainly earning their livelihood through agriculture and manual labour. There are small number of people who are government employees and are doing business. Panchayat is about 3 km from Block Development Office. There is no health centre and people avail health services from the health centre in nearby Budhi panchayat. There are two primary schools and one private high school.

#### Panchayat Performance and Functioning

The Nagrota panchayat has also been one of the best performing panchayat of Jammu region. This panchayat has taken active steps in the proper implementation of government schemes effectively. The political links of the panchayat president has also played its role in raising the considerable amount of funds for rural development works. This panchayat was regularly conducting the panchayat meetings and halqa majlis meetings are also conducted as per mandate of the Panchayati Raj Act.

Women panchayat member of this panchayat has played a key role in getting the national award under PEAIS. She keeps record of births, deaths, etc. in her diary. She is very ambitious and hard working. She did a survey of her ward and found that there are 17 girls less than boys. This has brought forth the problem of declining sex ratio. Later on, the survey of whole panchayat was carried out by the sarpanch and it was found that sex ratio is declining in the area. Panchayat decided in a meeting to facilitate the strict implementation of a reward scheme to curb sex determination under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. Under this Act, a reward of Rs. 50,000/- is being given to any person who gives information regarding the occurrence of sex-determination/female foeticide and Rs. 25,000/- is being given to any person who gives information about un-registered ultrasound machine.

This panchayat follows the model of putting the responsibility of quality of development projects on the people who are benefitting from project. Like streets building work are in the supervision of people benefitting from that street. This is a unique measure to check quality and ensure people's participation. There is no contractor system. Sarpanch has political links so he was able to get sufficient funds from community development funds of MLA/MP/MLCs for the development of panchayat area. He has been an active worker of one of the main opposition party of the State.

The performance of the Nagrota panchayat on the various indicators of PEAIS are as summarised in Table 3.

**Table 3: Performance of Nagrota Panchayat (Kathua) on PEAIS Indicators**

S. No.	PEAIS Indicators	Performance
1.	Panchayat Functioning	<p><u>Panchayat Meetings</u></p> <ul style="list-style-type: none"> <li>• Has regularly held two meetings in a month</li> <li>• No meeting was cancelled due to lack of quorum</li> <li>• Agenda and minutes are circulated</li> </ul> <p><u>Halqa Majlis</u></p> <ul style="list-style-type: none"> <li>• Two meetings held annually as mandated but some emergency halqa majlis meetings are also held.</li> <li>• No adjournment due to lack of quorum</li> <li>• Sufficiently represented by marginalised (SC/Women)</li> <li>• Minutes maintained</li> <li>• Social Audit of MGNREGA, Beti Bachao Beti Padhao (BBBP) conducted</li> </ul>

		<p><u>Standing Committees</u></p> <ul style="list-style-type: none"> <li>• Standing committees formed on some subjects like PHE, PWD, health, education, anganwaris, etc.</li> <li>• Meetings were conducted frequently whenever the need arises</li> </ul>
2.	Management of Personnel and Capacity Building	<p><u>Training of Elected Representatives</u></p> <ul style="list-style-type: none"> <li>• Sarpanch as well as Panchayat members attended training programmes organised annually by government and Sarpanch also attended training programmes organised by J&amp;K IMPARD.</li> </ul> <p><u>Officials at Panchayat Meetings</u></p> <ul style="list-style-type: none"> <li>• Officials of State government departments like Rural Development, Revenue, health, horticulture, education, social welfare, etc. are usually present.</li> </ul> <p><u>Review of Work of Officials</u></p> <ul style="list-style-type: none"> <li>• Sharing of officials' experiences but no review of work done by officials.</li> </ul>
3.	Planning and Budget Formulation	<p><u>Preparation of Annual Plan</u></p> <ul style="list-style-type: none"> <li>• Annual plan prepared and submitted in advance</li> </ul> <p><u>Process of Preparation of Plan</u></p> <ul style="list-style-type: none"> <li>• Discussed in halqa majlis with various stakeholders with their suggestions being partially incorporated.</li> </ul> <p><u>Budget</u></p> <ul style="list-style-type: none"> <li>• Budget prepared as per norms</li> <li>• Gender budget is not prepared</li> </ul>
4.	Income Generation	<p><u>Planning for own income</u></p> <ul style="list-style-type: none"> <li>• Rs 20,000 annual fee collected from each of four mobile companies towers in the panchayat jurisdiction but amount collected is still not spend due to non-formulation of work plan</li> </ul> <p><u>Voluntary Contributions</u></p> <ul style="list-style-type: none"> <li>• Donations in the sectors of social welfare, health, education and for</li> </ul>



		building cremation ground was received by the Panchayat from local people.
5.	Performance	<p><u>Physical Achievement</u></p> <ul style="list-style-type: none"> <li>Physical targets set under MGNREGA, SBM (G), BBBP, etc were successfully met</li> </ul> <p><u>Expenditure against allotment</u></p> <ul style="list-style-type: none"> <li>Maximum allocated amount under various schemes was spent but some sanctioned projects are not implemented</li> <li>Expenditure on all wards and all sections of population like SC/ST and women are covered</li> </ul> <p><u>Civic Duties</u></p> <ul style="list-style-type: none"> <li>Many households are provided individual latrines under Nirmal Bharat Abhiyan and 12 under SBM (G)</li> <li>100% registration of births and deaths</li> </ul> <p><u>Panchayat and Local Insitutions</u></p> <ul style="list-style-type: none"> <li>Strengthening of schools, PDS shops, and Anganwaris</li> </ul> <p><u>Special Initiatives</u></p> <ul style="list-style-type: none"> <li>Efforts to check declining sex ratio by imposing fine and awarding whistleblowers</li> <li>Financial assistance of Rs 40,000 is provided to one person who got electrocuted through voluntary contribution</li> </ul>
6.	Accountability and Transparency	<p><u>Maintenance of Accounts</u></p> <ul style="list-style-type: none"> <li>Halqa panchayat accounts are maintained in prescribed format, updated and authenticated and have been placed before the halqa majlis.</li> </ul> <p><u>Audit</u></p> <ul style="list-style-type: none"> <li>DPO's audited the accounts regularly</li> </ul> <p><u>Grievance Redressal</u></p>

		<ul style="list-style-type: none"> <li>• Grievances are addressed in panchayat meetings</li> </ul> <p><u>Compliance to RTI Act</u></p> <ul style="list-style-type: none"> <li>• RTI applications are properly replied within stipulated period</li> </ul>
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## Conclusion

The Panchayati Raj institutions in Jammu and Kashmir State continue to suffer both from structural as well as operational weaknesses. Due to lack of constitutional guarantee to PRIs, there is a degree of arbitrariness in the constitution of panchayats in the State. Due to this fact the government did not conduct the panchayat elections regularly. Panchayats have completed their term in July 2016 but panchayat elections are held in late 2018. In another manner also, the arbitrariness is clearly reflected. Though the Act provides for the three tiers of panchayat, the State government has not constituted the District Planning and Development Boards (DPDB) yet.

The State of Jammu and Kashmir has been reorganised into two Union Territories (UTs) namely Union Territory of Jammu and Kashmir and Union Territory of Ladakh on 31st October, 2019. The Union Territory of J&K is committed to fully implement the 73rd Constitutional Amendment as Article 370 is not a hindrance now but it continues with the present panchayat bodies as elections held only recently in 2018. The new administrative step up in J&K has been working to streamline the PRIs as it successfully conducted the Block Development Council elections and is going to conduct the elections for District Planning and Development Boards soon that will complete the three tier structure in J&K for the first time since Jammu and Kashmir Panchayati Raj Act of 1989 has come into force. Thus, the PRIs are expected to be politically and financially empowered through the implementation of 73rd Constitutional Amendment that will help in transforming the rural areas of J&K.

Panchayati Raj institutions remain powerless at the operational level. From 2011 to 2016, though the halqa panchayats were the only democratically constituted layer of panchayat, these were not empowered. If panchayats remained functional, these were usually only in relation to the centrally sponsored schemes, for which it was mandatory that the panchayats be involved. This story, more or less, remains the same even today. There are pronouncements regarding devolution of powers and empowerment of panchayats, and yet, the panchayats remain powerless (Kumar 2014).

In these circumstances the recognition of the performance of three halqa panchayats is a great achievement. The present paper focused on the study of these three panchayats through case study method. The performance of the three *Panchayat Sashaktikaran Puraskar* awardee panchayats have presented before us interesting facts. It has been found that the unique role of the panchayat representatives has played an important role in better panchayat functioning. The political linkages are important in getting the funds for rural development as financial devolution is non-existent. These panchayats have also taken various innovative steps

regarding public redressal mechanisms, efforts to check declining sex ratio, no contractor system for public works, efforts for raising resources, etc.

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