

Panchayati Raj in Jammu and Kashmir: An Uneven Journey from Yesterday to Today

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Abstract

The evolution of Panchayati Raj in Jammu and Kashmir has been fraught with inconsistencies, political manoeuvring, and structural inadequacies, making its trajectory more of an imposed transition than a genuine grassroots empowerment. Before August 2019, the Jammu and Kashmir Panchayati Raj Act of 1989 kept local governance weak, with PRIS functioning as nominal bodies devoid of real financial and administrative authority. The extension of the 73rd Constitutional Amendment post-Article 370 revocation was projected as a milestone for decentralisation, yet its implementation raises critical questions. While the introduction of Block Development Council (BDC) elections in 2019 and District Development Council (DDC) elections in 2020 increased formal political participation, deeper democratic engagement remains elusive due to persistent bureaucratic dominance, security threats, and the reluctance of state institutions to delegate complete power. Jammu and Kashmir's conflict-ridden history has bred scepticism toward these reforms, with many viewing them as top-down impositions rather than organic democratic advancements. In addition, the selective devolution of powers, financial dependencies, and political instability continue to undermine the credibility of PRIS. The increased participation of women, though notable, remains overshadowed by socio-political challenges, tokenistic representation, and security risks. This paper critically examines whether these reforms signify a meaningful shift toward genuine grassroots democracy or merely serve as a façade for central control under the guise of decentralisation.

Keywords: Panchayat Raj, Kashmir Valley, Empowerment of Grassroots Democracy, Lack of Political Will

Panchayat Raj Institutions in India

In India, Panchayati Raj institutions serve as vital links, connecting ordinary citizens, including marginalised groups, to the political process and decision-making through mechanisms like Ward Sabha and Gram Sabha

(Farooq, 2018). These local democratic bodies act as breeding grounds for future leadership. With the growing recognition of the importance of local democracy, the Indian model is now widely admired internationally. The concept of Panchayati Raj in India was first championed by Mahatma Gandhi, who advocated for a village-centric approach to governance.

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He believed that Panchayati Raj institutions were essential for the country's development. Gandhi described the ideal village governance structure as follows:

"The government of the village will be conducted by a Panchayat of five persons annually elected by the adult villagers, male and female, possessing minimum prescribed qualifications" (Harijan, 26-7-1942).

Through his writings and speeches, Gandhi emphasised the significance of the Panchayati Raj for rural development. He believed that the development of villages was in line with India's progress, given that a large portion of the population at the time of independence resided in rural areas. This trend persists today, with about 70% of the population still living in rural regions (Census, 2011).

After independence, despite Gandhi's strong advocacy, the Indian government failed to implement the Panchayati Raj system efficiently. His vision of grassroots decentralisation through local Panchayats was largely neglected in the post-independence period. Instead, the government introduced the Community Development Program in 1952 to address rural development. Unfortunately, this program fell short of its goals.

Consequently, following the recommendations of the Balwant Rai Mehta Committee in January 1957, the Panchayati Raj system was formally introduced, proposing a three-tier system of local self-government at the village, block, and district levels.

Further reforms came through the Ashok Mehta Committee in 1977, which focused on strengthening local democratic institutions. Additionally, several working groups were formed to empower local governance. A significant milestone in the evolution of local democracy in India was the 73rd and 74th Constitutional Amendments, which granted legal status to Panchayati Raj institutions. These amendments introduced Part IX to the Constitution, titled "The Panchayats," which covers Articles 243 to 243 (O), and created a new Eleventh Schedule with 29 subjects assigned to Panchayats (I.A.S Point, 2016). The amendments also provided

1/3 reservation for women and marginalised groups in Panchayats. As of the 2015-16 Panchayati Raj report, 14 Indian states, including Andhra Pradesh, Bihar, Chhattisgarh,

Himachal Pradesh, Jharkhand, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Tripura, and Uttarakhand have

implemented 50% reservation for women. However, real empowerment of women will remain inclusive unless there is a shift in the patriarchal mindset.

Despite the constitutional amendments, Panchayati Raj institutions continue to face significant challenges, such as inadequate devolution of functions, funds, and functionaries, poor infrastructure, and weak human resources at the local level. Additionally, the insufficient capacities of elected representatives hinder the effective functioning of these institutions. One of the main issues is that these institutions remain subject to the whims of state governments, many of which are unwilling to empower them. Jammu and Kashmir, for instance, are two states where Panchayati Raj institutions have not been adequately supported.

While some states, like Kerala, have successfully transferred essential functions to Panchayats, other states remain resistant to this shift. The lack of political will was a major reason for this resistance, as many state governments prioritised political gains over the development of panchayati Raj institutions. Bureaucratic inertia also restricted the autonomy and functioning of these local governance bodies.

George Mathew's Perspective on the Challenges to Panchayati Raj Institutions: George Mathew, in his lecture "*Power to the People and its Enemies*," highlighted that political leaders themselves often become the adversaries of Panchayati Raj Institutions. He observed how politicians attempt to undermine political decentralisation and block the empowerment of local governance. Mathew referenced Prof. Dantwala's observation that state leadership, despite their rhetoric, is generally opposed to decentralisation out of political considerations—mainly to prevent the emergence of rival political forces at the district level, even from within the same party or opposing parties (Dantwala, 1986:213).

Mathew also pointed out that the process of decentralisation and the establishment of Panchayati Raj has been hindered by the distribution of funds through the Members of

Parliament Local Area Development (MPLAD) scheme. A study conducted by Parliamentarian Era Sezhiyan on the working of MPLADS revealed that the scheme has caused significant damage by obstructing the decentralisation of authority and resources, thus impeding the emergence of village-level self-governments (Sezhiyan, 2005; George, 2017).

Additionally, India's bureaucracy is not always supportive of empowering Panchayats as units of local governance. Bureaucrats often work against transferring power to non-officials, particularly to elected

representatives from villages, and they do so in alliance with state-level politicians (George, 1995; 2017). Without a shift in mindset and a genuine commitment from political and bureaucratic circles, these Panchayats will not function effectively as units of local governance. Rather than fostering autonomy for Panchayats, many state governments have reduced them to subordinate entities (Buddhadeb Ghosh, 2017). As a result, these Panchayats in several states have failed to develop into strong local governments, and they are often restricted to only specific activities.

Panchayati Raj Institutions in Jammu and Kashmir

The roots of the Panchayati Raj in Jammu and Kashmir trace back to 1935 when Maharaja Hari Singh introduced the Village Panchayat Regulation Act. However, this legislation primarily functioned as a tool for administrative convenience rather than substantive empowerment of the people. The first substantial attempt at Panchayat elections came only in 2001. However, these elections faced significant challenges, particularly in the Kashmir Valley, where voter turnout and participation were low, rendering the exercise largely ineffective. Many constituencies in districts like Kupwara, Baramulla, and Bandipora remained vacant due to security concerns, and elections could not be conducted in several areas due to threats from militant groups (Kumar Singh, 2011).

The 2011 Panchayat Elections: A Turning Point

A decade later, in 2011, the state witnessed another round of Panchayat elections under the coalition government of the National Conference and the Indian National Congress, led by Chief Minister Omar Abdullah. Unlike the previous Panchayat elections, the 2011 polls saw a significant shift in public engagement. Candidates' manifestos largely focused on pressing local issues such as healthcare, education, water and sanitation, fair identification of Below Poverty Line (BPL) families, and corruption in the public distribution system (Waza Farooq Ahmad, 2017).

Since Jammu and Kashmir had been plagued by armed conflict since 1989, many residents saw these elections as a potential avenue for change. The high voter turnout, particularly among youth and women, reflected a growing aspiration for development and local governance. Chief Minister Omar Abdullah acknowledged this enthusiasm. He emphasised that these elections were purely an administrative exercise aimed at strengthening grassroots governance (Waza Farooq Ahmad, 2017).

Despite the overall success, the elections were not devoid of challenges. Security threats remained a

persistent concern, with incidents such as the assassination of Hasina Begum, a

Panchayat candidate, by unidentified militants in the Pakherpora area of Charar-e-Sharief, Budgam District, on April 15, 2011. The attack led to the cancellation of voting in Karpura village on May 21, 2011. Nonetheless, the overwhelming participation in these elections indicated a strong desire among the people to reclaim democratic spaces and work towards local development.

The experience of Panchayati Raj in Jammu and Kashmir highlights the complexities of implementing grassroots democracy in a conflict-prone region. While the 2011 elections signalled a positive shift towards participatory governance, challenges such as security threats and centralisation of power continue to hinder the full realisation of Panchayati Raj in the region. For Panchayati Raj institutions to be truly effective, they must be given greater autonomy, adequate resources, and protection from political and security-related disruptions. The success of local governance in Jammu and Kashmir will ultimately depend on sustained efforts to strengthen democratic institutions while addressing the region's unique sociopolitical dynamics.

Panchayati Raj Institutions in Jammu and Kashmir: Challenges and Prospects

The 2011 Panchayat elections in Jammu and Kashmir marked a significant moment in the region's democratic history. George Mathew, reflecting on his experience during these elections, wrote:

"During the last Panchayat elections in April 2011, I spent several days in the remote villages of Kashmir. The average voter turnout was above 80 per cent. It was because local democracy was their hope for the future. In the Dara Harwan village in Srinagar, on the day of the Panchayat election, more than 50 per cent of the voters had cast their votes in the first two hours. Men, women, youth, and children were on the road in a cheerful mood." (Mathew, 2016).

In my first-hand knowledge, I can recall witnessing jubilant celebrations across rural Kashmir when the election results were announced. Victorious candidates and their supporters beat drums in joy and distributed sweets and the traditional Kashmiri drink Kahwa (a traditional famous drink of Kashmir composed of eleven species) among friends, family, and neighbours. The atmosphere was one of hope—hope that grassroots democracy would usher in progress and stability. However, the post-election period saw a stark contrast to this optimism. The state government failed to capitalise on this golden opportunity to strengthen local governance. The popular fervour was met with

institutional neglect, and Panchayati Raj institutions remained weak due to the absence of robust government support.

Institutionalisation and Panchayati Raj in Jammu and Kashmir

Institutionalisation, as conceptualised by Samuel P. Huntington (1973), denotes the process through which political organisations evolve into stable, autonomous, and legitimate entities. Within the framework of governance, institutionalisation necessitates the establishment and reinforcement of legislative bodies and administrative structures that facilitate effective policy implementation and participatory decision-making. Panchayati Raj, as a system of decentralised governance, can only attain genuine institutionalisation when certain fundamental parameters are fulfilled:

- **Legal Mandate:** Robust constitutional and legislative backing to ensure institutional stability.
- **People's Participation:** Active civic engagement in decision-making processes.
- **Devolution of Powers:** Unambiguous transfer of authority from higher administrative levels to Panchayati Raj Institutions (PRIS).
- **Inclusivity:** Representation and substantive participation of marginalised communities, including women and minorities.
- **Accountability:** Institutionalised mechanisms to ensure transparency and responsiveness.
- **Financial Autonomy:** Independent fiscal resources that allow PRIS to function effectively without excessive bureaucratic dependence.
- **Regular Elections:** Uninterrupted, timely, and free electoral processes that strengthen democratic legitimacy.
- **Efficient Service Delivery:** Effective governance mechanisms that address local developmental needs.

In the context of Jammu and Kashmir, the institutionalisation of Panchayati Raj remains tenuous and contested. Structural deficiencies in the Jammu and Kashmir Panchayati Raj Act of 1989, compounded by prolonged political instability and conflict, have impeded the effective devolution of power. The erstwhile constitutional status under Article 370 further constrained direct central intervention in strengthening these institutions, resulting in a governance framework that was largely symbolic rather than substantive. While the post-2019 extension of the 73rd Constitutional Amendment was presented as a transformative step, its real impact remains subject to scrutiny, as issues of

bureaucratic control, security threats, and political scepticism continue to hinder the organic institutionalisation of grassroots democracy.

Weaknesses in the State Panchayati Raj Act of 1989

One of the critical obstacles to the success of Panchayati Raj in Jammu and Kashmir was the inadequacy of the state's Panchayati Raj Act. As K. Ashwani (2014) noted, the absence of a constitutional guarantee for these institutions had left them vulnerable to state control and bureaucratic interference.

Balraj Puri (2011, 1990) highlighted that the 1989 Panchayati Raj Act was fraught with several flaws, particularly in ensuring accountability. There was no provision mandating that Halqa Panchayat (village council) members be directly answerable to the people. While the Act had potential for improvement, it lacked essential democratic principles. Mathew Gorge (2013) pointed out that although the Act contained numerous loopholes, it also had room for reform. A major flaw in the original 1989 Act was its undemocratic structure. It provided for direct elections only at the village level, with government officials present at every tier, thus limiting the independence of local governance. Even after amendments in 2016, which introduced indirect elections for the position of Sarpanch, the structure remained restrictive.

Rekha Chowdhary (2012) critiqued the Jammu and Kashmir Panchayati Raj Act, stating,

"The theory of devolution of powers between the state and Panchayats is not reflected in the Act in any way. The Act defines the powers of the three tiers of Panchayats, but it does not guarantee that there is no overlap between the functions of the State government's administrative agencies and the Panchayats."

This structural weakness limited the effectiveness of the Panchayati Raj in the state. The original Act lacked provisions for:

- Reservation of seats for women
- Establishment of a State Finance Commission
- Creation of a State Election Commission
- Accountability mechanisms for Panchayat representatives

Although amendments were made in 2004 (reservation), 2011 (financial provisions), and 2016 (indirect Sarpanch elections), the Act still fell short of making Panchayats autonomous and effective units of self-governance (K. Ashwani, 2014).

Incomplete Panchayati Raj System in Jammu and Kashmir

The state government of Jammu and Kashmir had historically conducted elections only at the village level, leaving the remaining two tiers unelected. This partial implementation of the Panchayati Raj system contradicted the core principles of local self-governance, which emphasised decentralised decision-making and participatory democracy. Instead, village-level governance remained heavily reliant on government bureaucracy, undermining the essence of Panchayati Raj.

Lack of Devolution of Functions

Despite the long-standing presence of Panchayati Raj Institutions (PRIS) in Jammu and Kashmir, they have failed to earn the people's trust and recognition. This was primarily due to the absence of regular elections and the persistent intervention of bureaucrats and state politicians (Pankaj Kumar Sharma, 2016). As a result, PRIS had yet to evolve into true institutions of self-governance.

To address this issue, the state government issued Order No. 447-GAD on April 13, 2011, constituting a high-powered committee under the chairmanship of then-Chief Secretary Shri Madhav Lal. The committee was tasked with outlining a roadmap for the emancipation of PRIS and suggesting amendments to the Jammu and Kashmir Panchayati Raj Act of 1989. In its report submitted on July 16, 2011, the committee emphasised the need for the devolution of functions, workforce, and financial resources. However, it also noted the requirement for organisational restructuring and strengthening of the rural development department.

Critically analysing this report, George Mathew (2013) argued that the committee was composed entirely of bureaucrats, with no subject experts. The recommendations lacked a vivid blueprint for capacity building and technical human resource allocation. Mathew questioned how Panchayats could be expected to deliver results when development functionaries remained accountable only to the Jammu and Kashmir service rules of 1956 rather than to the Panchayati Raj framework.

Following this report, the functions of 14-line departments were assigned to PRIS through a cabinet order. However, these powers were ad hoc and could be revoked at any time (Mathew, 2013). The temporary nature of delegation significantly weakened PRIS's authority, making it reliant on state directives rather than independent decision-making bodies.

PRIS as Implementers of Central Schemes

Field investigations indicated that PRIS in Jammu and Kashmir were primarily engaged in implementing

central government schemes, particularly MGNREGA. They did not serve as comprehensive rural development bodies, and state authorities had failed to empower them beyond their role in executing central schemes (Baba, 2012). Additionally, the government neglected activity mapping after the 2011 elections, contributing to Jammu and Kashmir's poor performance in Panchayati Raj governance, as highlighted in the Ministry of Panchayati Raj's annual report (2016-17).

Accountability Issues and Public Perception

Two conflicting narratives existed regarding the functioning of PRIS. Elected representatives argued that the government had not empowered them, citing a lack of administrative support and cooperation from village-level workers (Kumar & Slathia, 2013). Furthermore, rural development officials often alter village-level development plans according to their preferences (Bhat Muzaffar, 2016).

On the other hand, many citizens perceived elected representatives as corrupt and self-serving. Numerous cases of financial mismanagement and nepotism were reported, with some.

Sarpanches misappropriating funds meant for the needy. For instance, in Chadoora Block (Budgam district) and Asham Sonawari (Bandipora district), Sarpanches were reported to have physically assaulted villagers and misused funds under the Indira Awas Yojana (IAY) (Bhat Muzaffar, 2012). The Right to Information (RTI) Act uncovered such instances, yet the Jammu and Kashmir Panchayati Raj Act of 1989 lacked robust provisions for accountability, allowing these irregularities to persist (Sharma, 2016).

Mushtaq Ahmad (2009) underscored the gravity of the situation, stating,

"The common villagers in Jammu and Kashmir had very little scope in the process of self-governance through Panchayati Raj Institutions. The officials attached to these institutions were neither serious nor fully committed to the philosophy of democratic decentralisation. The essential notion that PRIS should spearhead rural development remained unfulfilled, leaving rural development programs in a state of disarray."

Article 370 and Institutionalisation of Panchayats

The 73rd Constitutional Amendment Act (1992) was a landmark reform in India's Panchayati Raj system, introducing constitutional status to local governance through Articles 243 to 243(O). Key provisions included:

- Constitutional protection for Panchayati Raj Institutions.
- Establishment of Gram Sabhas covering all registered voters in a village.
- A three-tier Panchayati Raj system, with exceptions for states having a population under 2 million.
- State Finance Commissions to ensure financial devolution.
- Reservations for women and marginalised communities.
- Direct elections for Panchayat members, except for intermediate and district-level chairpersons.
- Fixed five-year terms for Panchayats, with elections conducted under the supervision of the State Election Commission.

However, the PRIS in Jammu and Kashmir did not fall under the purview of the 73rd Amendment. Instead, they were governed by the state's legislation, which lacked the constitutional safeguards provided to PRIS in other Indian states (Rekha, 2012). The unique status of Jammu and Kashmir under Article 370 allowed the state to maintain its own Constitution and Ranbir Penal Code, separate from the Indian Penal Code applicable elsewhere.

When Halqa Panchayat representatives demanded the implementation of the 73rd amendment, the state government resisted, arguing that it would dilute Jammu and Kashmir's special status. Ironically, successive state governments had enacted numerous central laws without raising similar concerns. The reluctance to implement the 73rd Amendment suggested that the government was not genuinely interested in empowering PRIS (Rekha, 2012).

Elected representatives from the 2011 Panchayat elections even staged hunger strikes to demand the enforcement of the 73rd Amendment. Political party supporters at the district level also organised protests endorsing to implementation of the amendment, highlighting widespread dissatisfaction with the state's approach to decentralisation.

The Panchayati Raj system in Jammu and Kashmir remained incomplete and ineffective due to the lack of full-fledged elections, bureaucratic interference, inadequate devolution of powers, and weak accountability mechanisms. PRIS were primarily engaged in implementing central schemes rather than functioning as independent local governance bodies. The absence of constitutional protection under the 73rd Amendment further weakened their authority. Unless the government took decisive steps to strengthen PRIS,

ensure financial autonomy, and establish accountability mechanisms, democratic decentralisation in Jammu and Kashmir would remain a distant ideal rather than a functioning reality.

Rekha Chowdhary, in her seminal work *Jammu & Kashmir: Politics of Identity and Separatism* (2016), underscores the debilitating impact of militancy on democratic structures. She notes:

"With the onset of militancy in Kashmir, all political parties and leaders withdrew from the scene, many relocating to Jammu due to security concerns and widespread hostility from the people. Consequently, all democratic and social institutions were paralysed."

The valley has since witnessed repeated cycles of violence, decimating all aspects of life. Simultaneously, political elites have exploited the conflict to amass wealth, siphoning central assistance meant for socio-economic development. Corruption has become endemic, with funds intended for public welfare being redirected into private coffers. Any attempt to expose this misappropriation is met with accusations of sedition, creating an environment devoid of accountability.

The Panchayati Raj system, emblematic of grassroots democracy, has been significantly undermined by both structural deficiencies and the overarching conflict. On one hand, local bodies suffer from inadequate infrastructure, lack of empowerment, and systemic neglect. On the other hand, the prevailing unrest and radicalisation have rendered these institutions ineffective, as disillusioned youth increasingly gravitate toward anti-establishment movements. The alienation of Kashmir's younger generation from democratic processes is particularly alarming, as it further destabilises the already fragile political order.

Ultimately, the failure to institutionalise Panchayati Raj in Jammu and Kashmir is not merely a consequence of administrative inefficiency but is deeply rooted in the protracted conflict, state repression, and political disillusionment. Without meaningful political engagement, transparent governance, and a genuine effort to address the historical grievances of the

Institutionalisation of Panchayati Raj in Jammu and Kashmir: Challenges Before Article 370 Abrogation

The institutionalisation of the Panchayati Raj system in Jammu and Kashmir before the abrogation of Article 370 faced several challenges. Despite being a significant mechanism for grassroots democracy across India, its implementation in the erstwhile state of Jammu and

Kashmir was fraught with legal, political, and socio-economic constraints.

Historical Context and Legal Constraints

The Panchayati Raj system in Jammu and Kashmir functioned under a distinct legal framework, as Article 370 of the Indian Constitution provided the state with special autonomy. Unlike other states where the 73rd Constitutional Amendment Act of 1992 mandated the establishment of a three-tier Panchayati Raj system, Jammu and Kashmir had its own Jammu and Kashmir Panchayati Raj Act, 1989. This act provided for a two-tier system instead of the three-tier structure mandated in the rest of India. The absence of constitutional protection for this act made the system vulnerable to frequent political and administrative interventions, limiting its effectiveness.

Political Interference and Lack of Devolution

The Panchayati Raj institutions (PRIS) in Jammu and Kashmir were largely controlled by the state government, which restricted their autonomy. Elections to these bodies were irregular and often postponed for political reasons. The state government maintained strong control over financial and administrative matters, making local self-governance ineffective. The lack of proper devolution of power meant that village panchayats had limited authority to implement development projects, affecting governance at the grassroots level.

Security Concerns and Militant Threats

One of the most significant challenges to the institutionalisation of Panchayati Raj in Jammu and Kashmir was the security situation. The rise of militancy in the 1990s led to the targeting of elected representatives, discouraging participation in local governance. Many elected Panchayat members faced threats, kidnappings, and assassinations by militant groups, which significantly weakened the effectiveness of local governance.

Financial Constraints and Bureaucratic Hurdles

The Panchayati Raj institutions in Jammu and Kashmir lacked financial independence. Unlike other states where Panchayats had direct access to central funding through the Finance Commission, in Jammu and Kashmir, funds were routed through the state government. This led to bureaucratic delays and misuse of funds, with Panchayats having limited discretion in decision-making. The dependence on the state administration further weakened their role in local governance.

Socio-Cultural Barriers and Awareness Issues

Another key challenge was the lack of awareness and participation among the local population. Many villagers, particularly in remote and conflict-ridden areas, were either unaware of the functions of Panchayati Raj institutions or lacked trust in them due to their perceived ineffectiveness. Additionally, socio-cultural norms often discouraged women's participation in Panchayat elections, further limiting the inclusiveness of local governance.

Lack of Capacity Building and Training

Unlike other states where regular capacity-building programs were conducted to train elected representatives, Jammu and Kashmir lacked systematic training mechanisms for Panchayat leaders. This resulted in poor governance, mismanagement of funds, and inefficient implementation of development schemes at the grassroots level.

Before the abrogation of Article 370, the Panchayati Raj system in Jammu and Kashmir remained largely symbolic, with limited effectiveness in fostering grassroots democracy. The lack of constitutional safeguards, political interference, security threats, financial dependence, and socio-cultural barriers impeded its institutionalisation. While efforts were made to strengthen local governance, these challenges rendered the system weak and ineffective. The situation post-Article 370 abrogation introduced significant changes, but the pre-existing structural flaws in the Panchayati Raj system highlighted the need for comprehensive reforms in local governance in the region.

Post-August 2019: A New Phase of Reform and Persistent Challenges

The abrogation of Article 370 in August 2019 marked a significant shift in Jammu and Kashmir's political landscape. With the extension of the 73rd Constitutional Amendment to the state, Panchayati Raj institutions gained a new legal and constitutional framework that promised greater devolution of powers. However, the post-2019 phase has brought both new opportunities and challenges.

Structural Overhaul and Extension of the 73rd Amendment

The extension of the 73rd Amendment to Jammu and Kashmir after August 2019 marked a significant milestone in the decentralisation of governance. Panchayati Raj institutions in the region now operate under the same legal framework as the rest of India, ensuring that local bodies have greater powers and responsibilities. This legal reform promised to reduce

the state's centralised control and allow for more local decision-making.

Increased Financial and Administrative Autonomy

One of the most notable changes post-2019 has been the increase in financial and administrative autonomy for Panchayati Raj institutions. With direct access to central funds, these institutions are now less reliant on the state government. This autonomy has allowed elected representatives at the grassroots level to make decisions based on local needs, rather than waiting for state-level approval. This shift has led to more localised development initiatives and better-targeted allocation of resources.

Improved Security Measures

While security concerns remain a challenge, post-2019 reforms have focused on improving the safety of elected representatives. Measures such as providing personal security officers (PSOs) and fortified residences have been introduced to protect those involved in local governance. While these measures have helped increase participation, sporadic attacks on Panchayat members continue to pose a risk to democratic processes at the local level.

Increase in Political Participation and Electoral Turnout

Post-2019 elections, particularly the 2020 District Development Council (DDC) elections, witnessed a significant increase in voter turnout, with a 51% turnout recorded, a considerable improvement over previous elections. This rise in participation signals a shift in public perception, with more people engaging with the democratic process despite the region's tumultuous political environment.

Trust Building and Legitimation of PRIS

Post-2019, the central government's direct intervention and the increase in fund allocation have helped improve the legitimacy of Panchayati Raj institutions. However, scepticism remains, particularly among those who view these reforms as politically motivated. The legacy of disenfranchisement and distrust in the system means that building lasting trust in local governance structures will take time and sustained effort.

Table 1: Comparative Analysis: Pre vs. Post-2019 Panchayati Raj of Jammu and Kashmir

Event/ Development	Pre-August 2019	Post-August 2019
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Legal Framework	J&K Panchayati Raj Act, 1989 (Limited powers)	Extended 73rd Amendment (Greater devolution)
Financial Autonomy	No direct access to funds	Direct funding from the central government
Trust in PRIs	Significant distrust, perceived as symbolic	Improving, but historical skepticism remains
Political Participation	Low voter turnout, especially in conflict zones	Higher participation in DDC and BDC elections
Block Development Council (BDC) Elections	BDC elections were not conducted before 2019.	The first-ever BDC elections were successfully conducted in 2019, providing a new layer of local governance at the block level.
District Development Council (DDC) Elections	DDC elections were not held before 2019.	The first-ever DDC elections were held in 2020, marking a shift towards more localized political participation and decision-making.
Implementation of the 73rd Amendment	The 73rd Amendment did not apply in Jammu and Kashmir before 2019.	Post-2019, the 73rd Amendment was extended to Jammu and Kashmir, granting constitutional status to Panchayati Raj Institutions and ensuring their active role in local governance.
Creation of Rural Local Bodies	Jammu and Kashmir had limited rural local bodies, mainly at the Panchayat level.	The restructuring of local bodies was done by introducing BDC and DDC elections, significantly increasing rural governance and participation.

Decentralization and Empowerment of Panchayats	Limited decentralization , with minimal decision-making power at the Panchayat level.	Enhanced empowerment of Panchayats and local governance through direct elections and the implementation of the 73rd Amendment.
Women's Participation	Limited female participation in Panchayats before 2019.	Post-2019, women have been granted more significant roles in Panchayat elections, with many women elected to the BDC and DDC posts.

Source: The table is compiled from various reports, academic research, and media articles on Jammu and Kashmir's Panchayati Raj Institutions before and after the revocation of Article 370 in August 2019.

A Step towards Grassroots Democracy or Cosmetic Reform?

The post-2019 reforms in Jammu and Kashmir's Panchayati Raj system represent a significant move towards decentralisation, with the extension of the 73rd Amendment and the introduction of District Development Councils (DDCS). However, while the legal and structural changes have created a more robust framework for local governance, the persistent security threats, historical mistrust, and ongoing political instability continue to challenge the full realisation of grassroots democracy.

While progress is being made in terms of increased financial autonomy, improved security measures, and higher voter turnout, the path ahead requires careful navigation. The success of Panchayati Raj institutions will depend on sustained efforts.

Recommendations

1. **Ensuring Full Devolution of Powers:** The state administration must ensure that PRIS receive actual decision-making authority rather than remaining passive implementers of centrally dictated schemes.
2. **Strengthening Security for Elected Representatives:** Without robust security measures, grassroots representatives will remain vulnerable, deterring wider participation.
3. **Enhancing Public Awareness and Trust in PRIS:** A sustained outreach campaign should be conducted to educate citizens about the role and importance of PRIS.

4. **Youth Engagement and Employment Programs:** Addressing the socio-economic grievances of Kashmiri youth can help integrate them into democratic processes and prevent radicalisation.
5. **Regular and Fair Elections:** Conducting timely and transparent PRI elections will be crucial for institutionalising democratic practices at the grassroots level.

Conclusion

Institutionalising Panchayati Raj in Jammu and Kashmir – A Long Road Ahead

The process of institutionalising the Panchayati Raj system in Jammu and Kashmir has been one of the most complicated and challenging endeavours in the political history of India. This undertaking, marked by significant institutional, infrastructural, and political hurdles, highlights the complexities of implementing decentralised governance in a region deeply scarred by decades of conflict, insurgency, and political instability. While the introduction of Panchayati Raj through the 1989 Act was an ambitious attempt to democratize governance at the grassroots level, its success was significantly undermined by factors unique to Jammu and Kashmir. However, the abrogation of Article 370 in August 2019 and the subsequent extension of the 73rd Constitutional Amendment brought with it a renewed focus on empowering local bodies and strengthening democratic participation.

The pre-August 2019 period can be characterised by a continuous struggle to build and sustain Panchayati Raj institutions (PRIS) that could serve the needs of the people. The introduction of the Panchayati Raj Act was a commendable step towards decentralisation, but its effectiveness was severely hampered by external and internal challenges. The geopolitical situation, the insurgency, and the lack of trust in the Indian state created an environment where local bodies were neither trusted nor empowered. Consequently, the Panchayats remained largely symbolic, and local governance was mostly controlled by a central authority that kept a tight grip on power.

The infrastructure deficit, coupled with systemic impediments such as a lack of trained personnel, hindered the functioning of Panchayats. Moreover, the Gram Sabha mechanism, which was supposed to be a platform for local participation, failed to materialise as a vibrant space for dialogue and decision-making. The lack of awareness about the Panchayati Raj system and the rampant political alienation of the local population further exacerbated the situation. The absence of regular

Panchayat elections, combined with sporadic threats and violence, left the people disillusioned with the democratic process.

One of the most critical challenges during the pre-2019 phase was the ongoing insurgency and radicalisation, which led to an environment of fear and alienation. As noted, the educated youth, particularly in conflict-affected areas, were often reluctant to participate in elections, viewing them as a legitimisation of Indian control. The threats of violence and the spectre of militant activity created an atmosphere where few dared to contest elections or even vote, rendering the Panchayats dysfunctional.

However, the abrogation of Article 370 in 2019 marked a turning point. This constitutional change, which dissolved the special status of Jammu and Kashmir, led to the extension of the

The 73rd Amendment, a move that brought the Panchayati Raj system fully in line with the rest of India. This legal and constitutional shift opened new opportunities for local governance, empowering Panchayats to become more autonomous and financially independent.

While these reforms were initially seen with scepticism by many, especially in the context of a post-August 2019 political environment, there have been notable improvements in terms of local governance. The direct allocation of funds from the central government has given Panchayats the financial autonomy they desperately need. The promise of devolution of power to the grassroots has provided local bodies with a sense of ownership and responsibility that was previously absent. With the legal backing of the 73rd Amendment, Panchayats are now better equipped to oversee development initiatives and respond to local needs.

Increased security measures, such as the provision of personal security officers (PSOs) to elected representatives, have also been introduced post-2019. While these measures have allowed local governance representatives to carry out their functions with greater confidence, the security situation remains volatile. The threat of attacks on political figures, while reduced to some extent, has not been eliminated. Ensuring the safety of local representatives continues to be a priority for the government.

Perhaps one of the most promising developments post-2019 has been the rise in voter participation, as evidenced by the 2020 District Development Council (DDC) elections, which saw a 51% turnout. This is a significant improvement compared to past elections, which often witnessed widespread boycotts due to political alienation and fear of violence. The increased

participation signifies a change in public attitudes towards Panchayati Raj, with more people engaging with the democratic process despite the region's political volatility.

However, while there has been progress in terms of legal empowerment, financial autonomy, and electoral participation, the road ahead remains fraught with challenges. Trust in the political system remains fragile. The perception that these reforms are part of a larger political strategy to legitimise the central government's control over the region continues to persist. Local leaders and citizens alike view the changes with a mixture of hope and scepticism, uncertain of the long-term implications of these reforms. Many fear that the decentralisation of power may remain a mere façade if it does not result in tangible improvements in local governance and the day-to-day lives of the people.

Further, the implementation of these reforms requires substantial capacity building at the local level. While the legal framework is in place, the administrative machinery to oversee the functioning of Panchayati Raj institutions needs to be strengthened. Training Panchayat members and officials in modern governance practices, such as project management, financial oversight, and citizen engagement, will be crucial for the success of the Panchayats. The lack of technical expertise, particularly in rural and conflict-prone areas, continues to hamper effective governance.

The lack of robust infrastructure for Panchayats remains another significant issue. While some steps have been taken to provide office buildings for Halqa Panchayats, the condition of these facilities remains poor in many areas. Additionally, inadequate internet connectivity and a lack of technological integration continue to limit the efficiency of Panchayats. The promise of a digital India must be extended to Jammu and Kashmir, where local bodies should be equipped with the necessary technological infrastructure to meet the demands of modern governance.

Moreover, while the post-2019 reforms have increased financial autonomy, there is still a need for greater transparency in fund allocation and utilisation. Panchayats must be held accountable for the funds they receive, and there must be mechanisms in place to ensure that resources are being used effectively. The involvement of civil society organisations in monitoring the functioning of Panchayats can play a crucial role in ensuring transparency and accountability. The next challenge is fostering political maturity within the newly empowered Panchayati Raj institutions. Political fragmentation in Jammu and Kashmir, along with the absence of a strong political culture at the grassroots level, makes it difficult for Panchayat members to

navigate the complex political terrain. Many local representatives are still unfamiliar with the intricacies of governance, and there is a lack of a cohesive vision for the region's development. Strengthening the political and administrative capacities of Panchayat members will require ongoing training, exposure to best practices, and support from the central and state governments.

Progress is also needed in the inclusion of women and marginalised communities in Panchayati Raj. While women's participation in Panchayats has increased in some regions, their representation remains low, and they continue to face social, cultural, and political barriers. Encouraging the active participation of women and marginalised groups in local governance is essential for achieving inclusive development.

The institutionalisation of Panchayati Raj in Jammu and Kashmir has made significant strides in recent years, particularly after the abrogation of Article 370 in August 2019. The legal and constitutional changes have provided Panchayats with the autonomy, resources, and political backing needed to function more effectively. Increased voter participation, greater financial independence, and enhanced security measures represent important milestones in this process. However, the region's political instability, entrenched distrust in the state, and challenges related to infrastructure, capacity building, and political fragmentation continue to pose significant obstacles. The successful institutionalisation of Panchayati Raj in Jammu and Kashmir will depend on overcoming these challenges, ensuring transparency and accountability, and fostering a culture of political engagement at the grassroots level. Only through sustained efforts can Panchayati Raj become a meaningful and effective tool for empowering the people of Jammu and Kashmir, ensuring democratic participation, and fostering inclusive development at the local level.

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