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## Participation of scheduled tribes in Panchayati Raj institutions in Jammu and Kashmir with reference to Jammu division

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### Abstract

This paper seeks to examine the participation of Scheduled Tribes of Jammu and Kashmir in Panchayat Raj Institutions. This work is based on secondary data, mostly on Census of India and Ministry of Tribal affair. Large countries like India cannot be developed until the development of weaker section of people. Scheduled Tribes are the poor section of people whose condition is still becoming worse because of being deprived from their natural resources by the government. In Jammu and Kashmir Panchayat Raj was introduced by Maharaja Hari Singh in 1936 by passing Jammu and Kashmir Panchayat Regulation Act 1936. For making our Panchayat system viable and representative Jammu and Kashmir Panchayat Raj Act 1989 was passed by Jammu and Kashmir Legislative Assembly. It reduced voting age from 21 to 18 years. In 2003 amended it to provide 33% reservation for Women including Scheduled Tribe/Scheduled Caste women vide SRO 181 dated 17-06-2014. For making Panchayats financially strong Jammu and Kashmir State Finance Commission for Panchayat and Municipalities Act 2011 was passed. In 2016 it passed the Act to convert election of Sarpanch from direct to indirect by Panches.

**Keywords:** Panchayti Raj, scheduled tribes, Jammu and Kashmir

### Introduction

The origin of Panchayat Raj in India can be found from 1882, when Lord Ripon passed Local Self-Government resolution 1882 <sup>[1]</sup>. He tried to administer local affair through local rural and urban people. Whoever it was not a Panchayat Raj at all. Most of the people in these bodies were non-official. They were elected by the people whenever the officials felt that it was possible to introduce election. These non-official members were too elected by a small group of people as voting right were severely limited. More over these elected members too worked on will of the British Government. If someone refused to act on, he was to be kicked out.

In Sanskrit, the word 'Panch' stands for number five, and a body of five persons to decide upon a dispute, are called Panch, 'ayat' stands for place or abode or house. In this sense, Panchayat means 'an abode of Panchayat members' <sup>[2]</sup>. After Independence, Government of India appointed a committee under the chairmanship of Balwant Raj Mehta in 1957, to examine the working of Community Development Programme (1952) and National Extension Service (1953). The committee submitted its report in November 1957 and recommended establishment of the scheme of 'democratic decentralization', which ultimately came to be known as Panchayat Raj. The recommendations of the committee were accepted by the National Development Council in January 1958. Rajasthan became the first state in India to establish Panchayti Raj. The scheme was inaugurated by the prime minister of India Pt. Jawaharlal Nehru on October 2, 1959, in Nagpur District.

<sup>1</sup> Chandra B. (2016). History of Modern India. New Delhi: Orient Black Swain publication.

<sup>2</sup> Kumar A. (2012). Participation of Weaker Sections in Panchayati Raj Institutions of Jammu and Kashmir. International journal of Innovative Research and Development. 9, pp.115

In December 1977 Janta Government appointed a committee on Panchayati Raj Institution under the chairmanship of Ashok Metha. It recommended reservation for Scheduled Caste and Scheduled Tribe based on their population. G V K Rao committee in 1985 demanded regular election to Panchayati Raj Institution. L M Shinghvi Committee in 1986 recommended constitutional recognition for Panchayati Raj Institution. It was Narshima Rao's Government which gave Constitutional status to Panchayati Raj Institution in 1991 by passing 73<sup>rd</sup> Constitutional Amendment in 1992.

The Constitution requires the President to appoint a commission to report on the administration of the Scheduled Tribes in the states. He can appoint a commission at any time but it is compulsory after ten years of commencement of constitution. Hence, a commission was appointed in 1960 headed by U N Dhebar. It submitted its report in 1961. After four decades, the second commission was appointed in 2002 under the chairmanship of Dilip Singh Bhuria.

**Scheduled Tribes:** The term 'Scheduled Tribe' first appeared in the constitution of India. Article 366(25) defined Scheduled Tribes as "such Tribes or Tribal community or parts of or a group within such Tribes or Tribal community as are deemed under Article 342 to be Scheduled Tribe for the purpose of the constitution". Article 342 prescribes procedure to be followed in the matter of specification of Scheduled Tribes. As per the census of India 2011, there are about 104281034 Schedule Tribe persons in India, which constitute about 8.62% of India's total population. Out of which 5.2 crore are male and 5.1 are females [3].

**Scheduled Tribes of Jammu and Kashmir:** In Jammu & Kashmir there are twelve scheduled Tribes: Balti, Beda, Boto, Changpa, Garra, Mon, Purigpa, (Brokpa, Drokpa, Dard, Shin), Gujjar, Bakarwal, Gaddi and Sippi. First eight Tribes got Scheduled Tribe status in 1989. Rest four namely Gujjar, Bakarwal, Gaddi and Sippi got it in 1991 vide constitution (Scheduled Tribe) Act (Amendment) 1991 [4]. According to the census of 2011, there are about 1493299 Scheduled Tribe persons in Jammu and Kashmir, which is about 11.91% of total Population of Jammu and Kashmir and about 1.43% of total Scheduled Tribe population of India. Out of the total population of Scheduled Tribe in Jammu and Kashmir, Gujjar holds the largest share followed by Bakerwal and Gaddis. Majority of the Tribal people belongs to nomadic and semi-nomadic community. They take no more interest in election or other process of government. So Panchayat Raj Institution can motivate them towards Political Participation.

**Jammu and Kashmir:** It is located between 32<sup>o</sup>.15' and 37<sup>o</sup>.05' north latitude and 72<sup>o</sup>.35' east and 83<sup>o</sup>.20' east longitude [5]. It is about 640 km in length from north to south and 480 km from east to west. Its total area is 2, 22, 236 Sq. km. including 78,114 Sq. km. illegally occupied by Pakistan and 37555 Sq. km by China. The Jammu and Kashmir state

is the northern most state of the union of India. Tibet is in its east. Afghanistan and China are in its North. Punjab and Himachal Pradesh are in its south. Pakistan is in its west. This state is 6<sup>th</sup> largest state of India in terms of its area and 17<sup>th</sup> in terms of its Population. The height of state varies from 1000 ft. to 28500 ft. about sea level.

### Objectives

1. To examine the Scheduled Tribe's representation in Jammu and Kashmir Panchayati Raj Institutions.
2. To know the effect of reservation for Scheduled Caste, Scheduled Tribe and Women in Panchayati Raj Institution.
3. To evaluate the causes responsible for low level representation of Scheduled Tribe and Women in Panchayati Raj Institutions.

**Methodology:** This work is based on secondary data collected from Directorate of Rural Development, Divisional office Jammu and various other sources such as census of India, published as well as unpublished work. After analysis of data a comparison of elected member in election of 2001 and 2011 was done to know the effect of reservation and after conclusion some suggestion were offered to increase representation of the Scheduled Tribes in Panchayati Raj Institution.

### Beginning of journey and role of State Legislative Assembly:

The roots of Panchayat Raj in Jammu and Kashmir were planted by Maharaja Hari Singh. He passed Jammu and Kashmir Village Panchayati Regulation Act No 1 in 1936 [6]. Its main function was to assist in Administration, civil and criminal justice and also to manage the sanitation and others common concern of village. A Special Department of Panchayat and Rural Development was created in 1936 to administer 1936 regulation. In 1941 he further improved the 1936 Regulation. But it was an elitist in character. This act made provision for the election of Panches numbering 5-7, out of which one panch would be appointed by Panchayat Officer called Wazir-re-wazarat. This officer was empowered to frame rules and regulations for conducting election of panches. This act laid various conditions which include a person seeking election to the panchayats should be a hereditary state subjects, not less than 21 years of age, paying at least Rs 5/ as revenue tax, own property Rs 1000/-, have an annual income of at least Rs 700/- and a minimum matriculation or the equivalent or the equivalent therefore. After Independence by an Act of 1951 Panchayati Raj Institution (PRI) was adopted to re-establish Panchayati Raj in Jammu and Kashmir. After its complete assignment to Union of India, Panchayati Raj Act 1951 was replaced by 'Jammu and Kashmir Village Panchayati Act 1958'. This act provided two tiers PRI - Halqa panchayat at village level and block board at block level. Finally, four year before Govt. of India, the Jammu and Kashmir Panchayati Raj Act 1989 was passed which established a three tier Panchayati Raj System in Jammu and Kashmir [7]. It established Halqa Panchayat, Block Development Council and District Planning and Development Board at village, Block and district level

<sup>3</sup> www.censusindia.gov.in

<sup>4</sup> Singh, A. Understanding the Reason for Educational Backwardness of Semi-Nomadic Gaddis: A case study of District Doda (J&K). Indian Journal of Research. 2014, 1 (11), pp. (1547-1554).

<sup>5</sup> H. Majid. Geography of Jammu and Kashmir. Jaipur: Rawatt Publication, 2012

<sup>6</sup> Riyaz Punjabi, Panchayati raj in Kashmir yesterday, Today and Tomorrow, in George Mathew's ed., Panchayati Raj in Jammu and Kashmir, Concept Publication House, New Delhi, 1990, p.47

respectively. Each Halqa comprises seven to eleven Panches and a Sarpanch. Parliament of India passed 73<sup>rd</sup> Amendment giving constitutional status to Panchayati Raj. Majority of states too passed this act in their state with little modification but State of Jammu and Kashmir has not still passed this saying that it will make Art 370 of Indian Constitution weak. Elections were held in 2001 in according with Jammu and Kashmir Panchayati Raj Act 1989. In 2003 it amended the Act of 1989 to provide 33% reservation to women including Scheduled Caste (S.C) and Scheduled Tribe (S.T) women vide SRO 181 dated 17-06-2004. In 1991 government of India created Ministry of Tribal Affairs headed by a union level minister. After a gap of 24 years in 2015 government of Jammu and Kashmir too created ministry of Tribal Affairs. In 2011 elections were again held after a gap of 10 years.

### Provisions of Constitution

In India most of the Tribes are collectively identified under Article 343 (1&2) as Scheduled Tribes and the right to self-determination is guaranteed by Part 10<sup>th</sup> of The Scheduled and Tribal Areas [7]. Article 244 deals with Administration of the Scheduled Area and Tribal Area. The provision of the Fifth Schedule shall apply to the administration and control of the Scheduled Area and Scheduled Tribes in any state (other than the states of Assam, Meghalaya, Tripura and Mizoram).

The provision of the Sixth Schedule shall apply to the administration of the Tribal area in the state of Assam, Meghalaya, Tripura and Mizoram.

The Indian Constitution protects Tribal interest, especially Tribal autonomy and their rights over land, through Fifth and Sixth Schedules, Scheduled Area of Article 224(1) are notified as per the Fifth Schedule and Tribal Areas of Article 224(1) are notified as per the Sixth Schedule. This law gives enormous freedom to the autonomous regions and districts in terms of legislative and executive power. Prime Minister Indira Gandhi introduced what is called as Tribal Sub-Plan in the planning process, earmarking a portion of funds for Tribal development. Eyeing their share of the Central Plan allocations, the State started the notification of tribal area again. However, the money seldom reached the Tribes.

When the constitution of Jammu and Kashmir was formulated there was not a single community registered as Scheduled Caste or Scheduled Tribe. It was during sixties that few caste of Jammu and Kashmir got registered as Scheduled Castes by Jammu and Kashmir Scheduled Caste Act 1968 even Schedule Tribe it was too late. It was in 1989 that eight communities got registered as Scheduled Tribes by Jammu and Kashmir Scheduled Tribe Act 1989. In 1990 Jammu and Kashmir Act 1990 was passed to include four more communities in it hence total numbering to twelve. In constitution of Jammu and Kashmir the 6<sup>th</sup> Directive principle of state policy states that 'state shall take steps to organize village Panchayats and endorse them with such power and authority as may be necessary to enable them to function as units of Self-Government'.

**Provision of PESA Act, 1996:** Part 9<sup>th</sup> of the Indian Constitution deals with Panchayats and it was extended to the Scheduled Areas with such exceptions and modifications

as are mandated in the provision of Panchayats extension to the Scheduled Area Act (PESA), 1996. Panchayat Raj Extension to Scheduled Area (PESA) Act was passed by parliament in 1996 on the recommendations of Dilip Singh Bhuria committee [8]. Bhuria Committee was appointed by government in 1994. While the enabling Framework for providing a self-governing structure, consonant with customary laws and traditional management practices for preserving resources of community is outlined in PESA, actual implementation lies with the states. All the nine states i.e. Andhra Pradesh, Jharkhand, Chhattisgarh, Gujarat, Himachal Pradesh, Madhya Pradesh, Orissa and Rajasthan having the Scheduled Area implemented the PESA act with some modifications. Even the newly created state Telangana had too implemented it with more modification. In Jammu and Kashmir demands were raised by Tribal Associations such as All J&K Gaddi/Sippi Tribal Welfare Association (Regd.) to implement PESA to Jammu and Kashmir, but till date Govt. has not implemented it to Jammu and Kashmir.

**Tribal Advisory Council:** As Governor is empowered to make regulation prohibiting or restricting Transfer of land from Tribal to Non-Tribal and regulate the business of money lending to the members of the Scheduled Tribes. While making any such regulation, the Governor may repeal or amend any act of parliament or of the Legislature of the state, which is applicable to these areas. Moreover, a Tribal Advisory Council (CAT) needs to be established in any state having Scheduled Tribes but not Scheduled Area. It consists of 20 members, three-fourth of whom are to be the representative of the Scheduled Tribes in the state legislative Assembly. In according with the provision of Para 4(1) of the Fifth Schedule to the constitution, Tribal Advisory Council has been established in States having Scheduled Areas namely Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. Besides, two other States viz. Tamil Nadu and West Bengal, have also set up Tribal Advisory Council. It is established to State having Scheduled Area but can be established in a state having Schedule Tribe but not Scheduled Area if the President so directs. These Tribal councils are working in north east states of India. Instead of TAC there is a Tribal development Board known as Jammu and Kashmir Gujjars and Bakarwals Development Advisory Board. It was formed in 1975 headed by Begum Akbar Jahan, the wife the Chief Minister Sheikh Mohammad Abdullah. As the name indicates, this Board was constituted for Gujjars and Bakarwals and not for rest of ten Tribes. Today also it has only Gujjars Representatives. There is also same board for the Pahari Community which is not a Scheduled Tribe. The first election for J&K Pahari development board were held in 1989 vide Govt. order no: 1439-GAD of 1989 dated 26-10-1989 [9]. The Scheduled Tribes other than Gujjars and Bakarwals don't have any such Board.

### Present Panchayati Raj System in Jammu and Kashmir

The Panchayati Raj System in Jammu and Kashmir is based on Jammu and Kashmir Panchayati Raj Act 1989. This act establishes a three tier Panchayati Raj System in Jammu and Kashmir i.e. Halqa Panchayat consisting a group of villages,

<sup>7</sup> M. Lakshmikanth. Indian polity. New Delhi: Tata McGRAW Hills, 2012

<sup>8</sup> Tiwari, N. Tribal Self Governance: PESA and Implementation. Jaipur: Rawat Publication, 2016

<sup>9</sup> www.jkpahariboard.org

Block Development Council at Block level and District Planning and Development Board at district Level. The word Halqa is an Urdu word which means the area comprising a village or such a contingency number of villages as may be determined by the Government from time to time. All the voters of a Halqa Panchayat are known as Halqa Majlis. Halqa Panchayat is so designed that its population must not exceed 3000 in the hilly area and 4500 in plain area [10]. Halqa Panchayat is further divided into Panch Constituencies known as Wards. Panches are the elected representatives of people from these wards. A Sarpanch is also elected at the Halqa level directly by the people. Recently in 2016 its election was changed from directly to indirectly by Panches. Block development Council consists of a

- Chairman
- all Sarpanches of all Halqa Panchayat falling within the Block and
- Chairman, Marketing Society within the jurisdiction of the Block.

The chairman shall be a person qualified to be elected as a panch and shall be elected in according with the provisions contained in section 41. District planning and Development Board consists of following:

- Chairman of the Block Development Council of the District.
- Member of Parliament representing the area.
- Member of State Legislature representing the area within the District
- Chairman of the Town Area Committees at the District.
- President of municipal council if any.

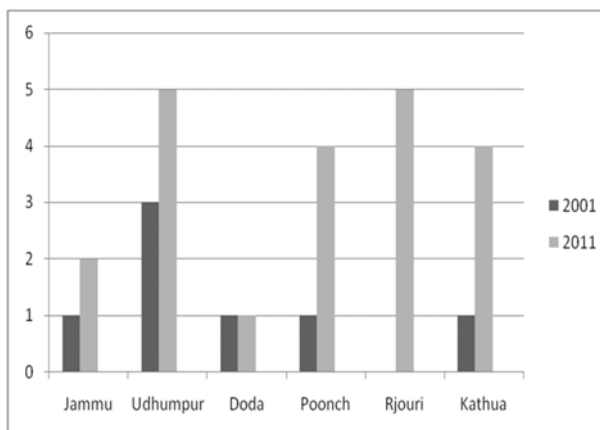
The chairman of the Board is nominated by Government from among the member of District Planning and Development Board. There are also bureaucrats of Government working with Panchayat in Jammu and Kashmir. Gram Sewak or Village Level Worker acts as Secretary in Halqa Panchayat, Block Development Officer in Block Development Council and District Development Commissioner in District Planning and Development Board.

**Reservation in Panchayat Raj Institution for ST/SC/women:**

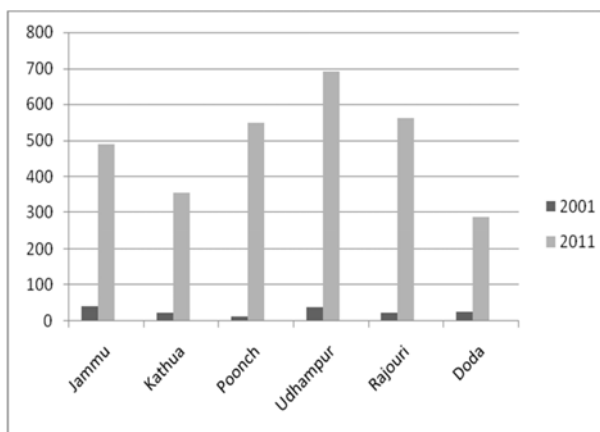
The question of women’s representation in politics in all over the world began to assume importance since 1975 when UN declared 1975 as the ‘International Women’s Year’. This was followed by the UN’s decade for Women (1976-1985) with the theme “Equality, Development and Peace”. In India, the question of women’s participation in decision-making process got the attention of the Committee for Status of Women in India (CSWI) in 1974. It was the status report by CSWI in India titled ‘Towards Equality’ (1974) which came as a shock to Indian women who realized that even after 27 years of independence, not only were they performing the traditional roles expected of them by men, but also had been characterized by illiteracy, poor health, marginalized employment, violence and had no role in the decision-making process in any spheres of life [11]. The 73<sup>rd</sup> Amendment Act passed in 1992 by parliament of India also

provided reservation of 33% seats for women including S.T/S.C women in Panchayati Raj Institution. Bihar became the first state to even provide 50% reservation including S.T/S.C/women. Himachal Pradesh too followed the same. Jharkhand increased it even to 55%. In 2003 despite applying provision of 73<sup>rd</sup> Amendment Act government of Jammu and Kashmir amended its Jammu and Kashmir Panchayati Raj Act 1989 to provide 33% reservation to women including S.T/S.C and women vide SRO 181 dated 17-06-2004.

From the Table 1, it is clear that women constitute about half of Population of State but only a few of them were elected. Out of 1229 elected Sarpanches from Jammu Division in 2001 election, women constitute only 7 i.e. 0.56%. In 2011 election of PRI, a total of 1956 Sarpanch were elected out of which women constitute only 25 i.e. 1.27% which is negligible. The case of Panches is a little bit improved. In 2001 election there were 9714 elected Panches out of which women constitute about 166 i.e. 1.7%. But after reservation for them 34.81% women were elected in 2011 PRI elections which shows a positive impact of reservation provided for the seat of Panch. The data for Samba, Reasi, Ramban, Kistwar districts for 2001 election has not shown as these district were created after 2001 election.



Histogram representing elected Women Sarpanch during 2001 and 2011 elections



Histogram representing elected Women Panch during 2001 and 2011 elections.

<sup>10</sup> Gupta Sunil. The Jammu and Kashmir Panchayati Raj Act, 1989. Jammu: Jay Kay Law Reporter Pvt. Ltd, 2011.

<sup>11</sup> Singla, Primla. Women Participation Panchayati Raj. Jaipur: Rawat Publication, 2007.

**Table 1:** elected Sarpanches and Panches PRI election 2001 and 2011.

District	No of Sarpanch Elected (2001)	No of Women Elected as Sarpanch (2001)	No of Sarpanch Elected (2011)	No of women Sarpanch Elected (2011)	No of Panch Elected (2002)	No of Women Elected as Panch (2001)	No of Panch elected (2011)	No of Women Panch Elected (2011)
Jammu	294	1	295	2	2443	42	2153	489
Kathua	183	1	244	4	1391	23	1642	354
Poonch	115	1	189	4	1026	13	1537	548
Udhampur	215	3	204	5	1792	38	1543	690
Doda	262	1	231	1	1698	26	1420	287
Rajouri	160	0	289	5	1364	24	1972	562
Samba	-	-	100	1	-	-	724	260
Reasi	-	-	146	2	-	-	992	746
Ramban	-	-	124	1	-	-	831	524
Kistwar	-	-	134	0	-	-	836	292
Total	1229	7	1956	25	9714	166	13650	4752

Source: PRI data from Office of Rural development, Division Jammu.

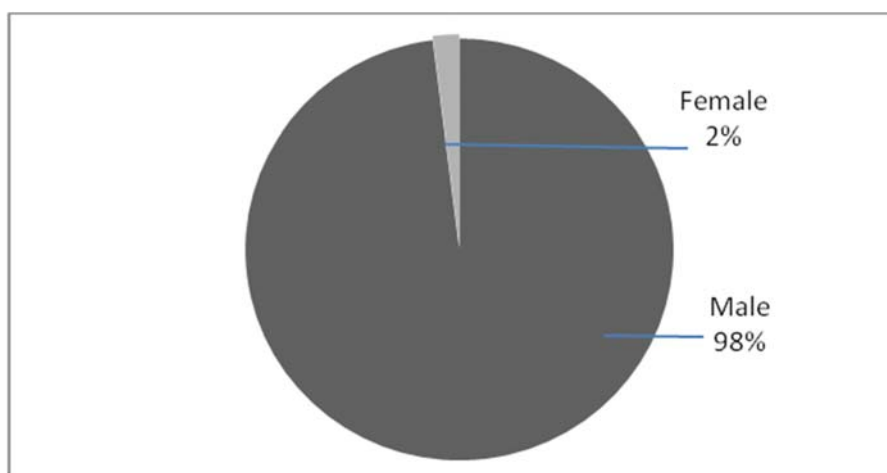
**Table 2:** elected Sarpanch PRI election 2011

District	No of Sarpanch Constituencies	No of elected Sarpanches					Total
		S.C	S.T	Others	Male	Female	
Jammu	296	60	16	219	293	2	295
Samba	100	12	4	84	99	1	100
Kathua	244	25	10	209	240	4	244
Doda	231	21	17	193	230	1	231
Kistwar	134	5	15	114	134	0	134
Ramban	124	1	7	116	123	1	124
Udhampur	204	23	13	168	199	5	204
Reasi	147	6	35	105	144	2	146
Rajouri	295	12	91	186	284	5	289
Poonch	189	0	86	103	185	4	189
Total	1964	165	294	1497	1931	25	1956

Source: Directorate of Rural Development Jammu Division.

The above table 2 reveals that the representation of women is very much low. Out of total 1956 elected Sarpanches from Jammu Division in PRI election 2011 women constitute only 25 i.e. 1.27%. The case of other reserved categories is also same. In Ramban district out of total 124 elected Sarpanches, Only 1 Scheduled caste and 7 Scheduled Tribe were elected which is about 0.8% and

5.64% respectively. In Rajouri district Scheduled Tribe hold good share but none of Scheduled Caste was elected. In Samba District out of total elected Sarpanches Scheduled Caste holds 12% and Scheduled Tribe only 4%. Hence there is need of 33% reservation for Scheduled Tribe, Scheduled Caste and Women same as provided in case of Panches.



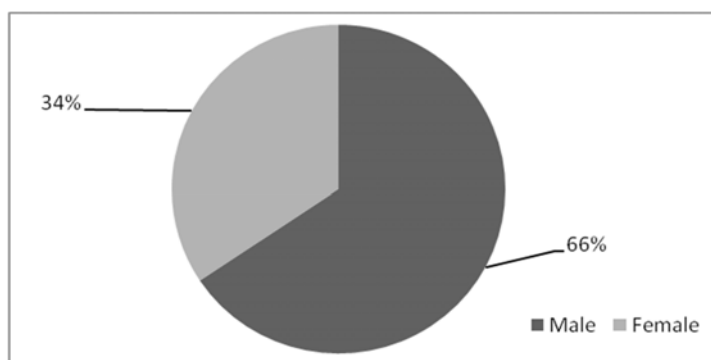
Pie diagram representing elected Male and female Sarpanches (2011)

District	No of Panch Constituencies	No of elected Panch					
		S.C	S.T	Others	Male	Female	Total
Jammu	2160	707	111	1335	1407	746	2153
Samba	726	197	30	497	464	260	724
Kathua	1644	389	155	1098	1080	562	1642
Doda	1424	237	155	1028	931	489	1420
Kistwar	838	47	115	674	549	287	836
Ramban	832	45	124	662	539	292	831
Udhampur	1544	453	178	912	995	548	1543
Reasi	1014	110	320	562	638	354	992
Rajouri	2026	124	780	1068	1282	690	1972
Poonch	1540	0	655	882	1013	524	1537
Total	13748	2309	2623	8718	8898	4752	13650

Source: PRI data from Office of Rural development, Division Jammu.

**Analysis of Table:** From the table it is clear that in all district there are almost sufficient representative of Scheduled Caste and Scheduled Tribe for the post of Panch. In punch district there is none Scheduled Caste candidate because there are no Scheduled Caste candidates as this

district has the largest Scheduled Tribe Population in Jammu and Kashmir. After comparing the Data of PRI election for the seat of Halqa Panch it is seen that reservation has a positive impact.



Pie diagram showing elected Panches 2011.

Table showing a comparative data of ST elected Sarpanches and Panches in 2001 and 2011 election

District	ST elected Sarpanch 2001	ST elected Sarpanch 2011	% of change From 2001 To 2011	ST elected Panches 2001	ST elected Panches 2011	% of change From 2001 to 2011
Jammu	14	16	+14%	127	111	-24%
Kathua	03	10	+333%	83	155	+89%
Udhampur	24	13	-45%	268	178	-33%
Doda	14	17	+21%	164	155	-5.4%
Poonch	52	86	+65%	425	655	+49%
Rajouri	45	91	+102%	465	780	+67%
Total	152	233	+53%	1532	2034	+32%

Source: Directorate of Rural Development J&K, Divisional office Jammu.

Analysis of the above table reveals that there is increasing representation of Scheduled Tribe in PRI institutions from 2001 to 2011. In some districts such as Jammu, Doda, Udhampur there is decrease in no of candidates elected in 2011 as compered to 2001, but it is due to the fact that before election of 2011 these districts were divided into two or more districts. Kathua District holds highest increase of 333% for the seat of ST Sarpanch and 89% for the seat of Panch. When we compare all the elected Sarpanches to the ST elected Sarpanches we feel strong need of 33% reservation to Scheduled Tribes for the election of Sarpanches.

**Causes of low representation of Scheduled Tribes in PRI**

- Direct elections only for Panches: For above elected bodies, there is the provision of indirect election.

- Presence of Government officials: Gram sewak at the level of Halqa Panchayat, Secretary at Block Development Council, Deputy commissioner at the District planning and development Board also make difficult for elected bodies to work independently.
- Halqa panchayat which is the main organ of PRI has not recognized as an institution in PRI.
- No reservation above Panches for women belonging to Scheduled Tribe/Scheduled Caste.
- No source of income as well as funding by government. The main task of Panchayati Raj in Jammu and Kashmir is to carry on centrally sponsored scheme such as Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).
- No in time elections: In 2001 elections were held after three decades. In 2011 it was held after ten years. In 2015 Assembly of Jammu and Kashmir passed Act to

change election of Sarpanch from direct to indirect to reduce burden of conducting election on State government.

### Conclusion and suggestions

As Tribal Peoples, has remained away from the rest of Non-Tribal society, there is a need to motivate them towards election. PRI can play an important part in it. After increasing their participation in PRI it will automatically led to improvement in Parliamentary election. As about 70% of their population belongs to nomadic and semi-nomadic community, so it becomes necessary for government to increase their participation in Political process. In Jammu and Kashmir Tribes are having a very low literacy rate of 50.6 against 58.96 of India, as per the 2011 census of India. From the data collected it is found that there is good presentation of Scheduled Tribe and Scheduled Caste and Women for Halqa Panches but only a few from them have representation as Serpanches. So to increase their participation at Halqa Panchayat level some suggestions are provided.

1. Provide 33% reservation for the seat of Sarpanches same as provided for seat of Panches.
2. Free the Tribal development related work from clutches of Art 370. It will allow all central schemes currently running by Government of India in other state to Jammu and Kashmir.
3. Provide common hostel facility to Nomadic and semi-Nomadic community students so that they can study.
4. Provide electricity to Scheduled Tribal villages as most of tribal villages are still not electrified.
5. Provide reservation to Scheduled Tribe Women and men in election of Sarpanch and at district body. Establish Tribal Advisory Council in Jammu and Kashmir.
6. Implement PESA Act to state of Jammu and Kashmir.
7. A development board on pattern of Jammu and Kashmir Gujjars and Bakerwals Development Advisory Board should be constituted for all Scheduled Tribes of Jammu and Kashmir having representative from each Tribal Community.
8. Increase road connectivity to the Scheduled Tribal villages to boost their economy and make them in touch with rest of non-tribal world.
9. Provide technical and financial support to Scheduled Tribes such as Gaddi to boost their handloom occupation, to compete with modern market.

### References

1. Narang U, Narang JK. PRIs in the Tribal Areas of Odisaha: With Special Reference to PESA Act. In Nupur Tiwari (Ed): Tribal Self-Governance: PESA and its implementation pp. (191-203). Jaipur, Rawatt Publication, 2016.
2. Chaudhary SN. Tribal women: Yesterday, Today and Tomorrow. Jaipur, Rawatt Publication, 2015.
3. Dhanaraju V. Caste, Tribe and Gender: Politics of self and the other. Jaipur, Rawatt Publication, 2017.
4. Das BK, Das RK. Rethinking Tribe in Indian Context: Realities, issues and Challengas. Jaipur, Rawatt Publication, 2017.
5. Sah BL. Tribal Development Myth or Reality. Haldwani, Ankit Prakashan, 1999.

6. Shsashi S. The Gaddi Tribes of Himachal Pradesh: A Sociological Study. New Delhi, Stearling Publication, 1997.
7. Niyhya NR. Globalization and the Plight of Tribes: The case study of Kerela. The Dawn Journal. 2014, 3.
8. Shirsath ST. Reinventing Tribal Local Governance through advance Reforms in India: With special reference to fifth Schedule Area. Indian Journal of Research in Humanities, Arts and Literature. 2014; 2:15-22.
9. Singla P. Women's participation in Panchayti Raj, Jaipur: Rawat Publications, 2007.
10. Kumar A. Participation of women in panchayti Raj Institutions in Jammu and Kashmir. Indian Journal of social work. 2012; 73:589-600.
11. Gul T, Khurshid S. Emerging Patterns of Women Representation in Jammu and Kashmir Panchayti Raj Institution. Indian Journal of Interdisciplinary Research. 2017; 2:1353-1357.
12. Sharma S. Evolution of Panchayti Raj and Panchayat Adalts in Jammu and Kashmir with Special Reference to 73<sup>rd</sup> Amendment Act. Shrinkhla Ek Shodhpatrak Vaicharik Patrika. 2016; 3:31-40.