

District Development Councils: A Precursor to Assembly Elections?

Vinod Rai

Summary

In October 2020, the Union government in India amended the Jammu and Kashmir Panchayati Raj Act, 1989, to introduce a provision to hold direct elections to District Development Councils (DDCs) with the avowed objective of bringing democracy to the grassroots. The election generated national attention, as it was the first political exercise after the abrogation of Article 370 of the Constitution. Elections were held in a peaceful atmosphere and the results appear to be along predictable lines. The Jammu region continues to be dominated by the Bharatiya Janata Party whereas the Srinagar region has the People's Alliance for Gupkar Declaration in majority. To what extent will the functioning of these DDCs bring about more political participation from the grassroots will be determined by the independence enjoyed by them. The outcome of the elections does not appear to give the impression that they will herald Assembly election any time soon.

In 1989, the Jammu and Kashmir (J&K) government passed the J&K Panchayati Raj Act to provide for village *panchayats* (councils), block development councils, and district planning and development boards. This Act was passed with the objective of promoting and developing *panchayati raj* (village council rule) in the state, as an instrument of vigorous local self-governance, to secure the effective participation of the people in the decision-making process and overseeing development programmes. Later, the 73rd amendment to the Indian Constitution in 1992 had mandated that every state shall constitute *panchayats* at the village, intermediate and district levels.

The Structure of the District Development Councils

On 5 August 2019, the government revoked the special status, granted under Article 370 of the Indian Constitution to J&K and brought in the J&K Reorganisation Bill 2019, which splits the state into two separate Union Territories – Jammu and Kashmir, which will have a legislature – and Ladakh, without a legislature. In October 2020, the J&K Panchayat Raj Act, 1989 was amended to create a new tier of 'grassroots governance', the District Development Council (DDC). The DDC is a tier of elected local self-government which provides for direct election of its members from the rural and urban areas for the District Planning Committee and the council itself. There is provision to elect a fixed number of 14 members from each district, irrespective of its area or size of population for speedy development and economic upliftment. These councils are meant to replace the district development boards which functioned mostly as official bodies of the government. There is provision for direct election of DDC members in each district. Every district is divided into 14 territorial constituencies that elect the members for the DDCs. Elected members then elect the chairperson and vice-chairperson of the DDC, who are mandated to administer the district. The DDCs have complete jurisdiction of the district except over the

areas controlled by a municipality or municipal corporation. The Members of Legislative Assemblies and chairpersons of Block Development Councils are also members of the DDCs. However, only the 14 elected members have the power to elect or remove the chairperson and vice chairperson. The DDC supervises and implements schemes in the welfare and development sectors such as health, education and public works.

People in the Kashmir region largely see the formation of the DDC as diluting genuine democracy in the region, whereas the Union government believes the move will empower democracy at the grassroots level and as a constitutional requirement under the 73rd Amendment. The direct election process has been criticised for not conforming to democratic tenets in that there is no proportional representation, as each district has 14 seats and these have not been allocated on the basis of population in that constituency. An illustration of that argument is that both the Srinagar district, having a population of about 1.2 million people, and Kishtwar with a population of 250,000, have 14 representatives each in the Council. It was to these DDCs that elections were held from 28 November 2020 in eight phases across 280 constituencies.

Formation of the Gupkar Alliance

J&K's mainstream political parties such as Mehbooba Mufti-led Peoples Democratic Party (PDP), Farooq and Omar Abdullah's National Conference (NC) and Sajjad Lone's JK People's Conference (JKPC) fought the polls under a unified banner called the People's Alliance for the Gupkar Declaration (PAGD). The alliance was formed following a series of meetings among these leaders at former chief minister Farooq Abdullah's residence at Gupkar Road, Srinagar. Mufti also resides in the same area, and thus the name. The political formation also includes the Awami National Conference, Jammu Kashmir People's Movement (JKPM) and the Communist Party of India (Marxist). The alliance's key agenda is seeking restoration of the pre-5 August 2019 status for J&K. While the Congress was also originally part of the PAGD, it later distanced itself. These parties may have considered boycotting the elections to register their protest against actions taken by the central government. However, they seem to have seen long term wisdom in participating to establish their relevance and indeed even rejuvenating their cadres. Their participation also seems to have granted them some space in mainstream politics and denied the scope for militancy and separatism.

How the Parties Fared

The election results were as follows:

PAGD	110
Bharatiya Janata Party	75
Indian National Congress	26
J&K Apni Party	12
Independents and Others	55
Total Seats	278 ¹ /280

¹ Counting deferred in two seats as candidates belong to Pakistan occupied Kashmir.

Whilst elections were for the limited purpose of constituting the DDCs but the interest they generated within the country and perhaps globally were immense. The stakes were high on both sides. The BJP wanted to prove that the drastic change made by it in the status of J&K has achieved wide acceptance. On the other hand, a good showing for the opposition parties would lend credibility to their campaign for revocation of the constitutional change. Meanwhile, it goes to the credit of the administration that it was successful in ensuring peaceful polling. The instances of arson or alleged militant action were minimal. There have also been no complaints of rigging, as was being alleged by the opponents of the BJP before voting commenced. The elections saw skewed turnout during polling. Reasi district registered the maximum voter turnout at 74.62 per cent whereas Pulwama registered the lowest at 6.70 per cent. Srinagar district, the summer capital of the union territory, recorded 33.76 per cent. The high voter turnout and wide acceptance of the election results are illustrative of the fact that people want democracy at the grassroots level to avail the benefits of development. On the other hand, a higher turnout in the valley area is being hailed as people's solidarity against the confinement of the senior leadership of the opponents of the BJP.

The political rhetoric was largely around the abrogation of Article 370 and 35A of the Constitution. The results of the election indicate that the voters seemed to overlook allegations of corruption, which had been raised against the leaders in the Gupkar alliance. The election assumed significance as it is the first major electoral exercise since the centre abrogated provisions of Article 370 of the Constitution.

Objectives of Creating the DDCs and Timing of the Elections

It is widely believed in Kashmir that the Union government had ordered the elections of the DDC for two purposes. The first was, to the extent possible, neutralise the effect of the withdrawal of special status granted by Article 370. The second was to dissipate the hold of the major political players by diverting attention towards more grassroots levels and, in doing so, have newer players emerge in the political arena. Hoping to steer the discourse by bringing the districts under focus, it aimed at creating 20 different groups of players, thereby diluting the hold of the long-time major players.

This stratagem of the central government was not lost on the well-entrenched political players, including long-time political rivals, the NC and PDP. They decided to cobble together an alliance. They also added similar minded parties having a hold in the valley region. However, it seems that the social schism that had prevailed earlier causing a political divide along religious lines continues to prevail in the DDC-centric election. The alliance has largely won in the Muslim-dominated areas of the Kashmir valley whereas the BJP continues to maintain its hold in the Hindu-dominated Jammu region.

The public will, however, have huge expectations from these newly-elected leaders. Though they will have no say in the administration at the district level, the expectations will be for them to intercede on behalf of the people with the administration. In this context, the PAGD will find it a challenging task to respond to the expectations that direct elections have generated.

Regional and Religious Divide Persists

The election has brought forth some very significant and interesting features. Though, as an alliance, the PAGD has bagged the maximum number of seats at 110, the BJP has emerged as the single largest party with 75 seats.

The most strident opponent of the BJP, the PDP, has ended up with the lowest number of seats in the PAGD. The party had built its campaign around the basic agenda of restoration of the special status that J&K enjoyed until August 2019. One of the reasons for its losing ground is that J&K Apni party, a breakaway faction of the PDP, constituted with the blessings of the BJP, has eaten into its vote bank. It is primarily due to this factor that in the most important district of Srinagar, neither the PAGD nor the BJP will be able to form a majority in the DDC.

A former senior colleague of Mufti, Altaf Bukhari, who led the breakaway faction, has three seats and seven possible allies in the victorious independent group and will have the say in the Council formation. Bukhari believed and actively canvassed on the premise that seeking a restoration of Article 370 was like flogging a dead horse and thus built his campaign around developmental issues. He was a protagonist of the fact that only development would be the soothing factor to heal the “wounded pride, self-esteem and confidence” of Kashmiris.²

The PDP’s vote share of 7.3 per cent in the northern part of Kashmir has turned out to be lower than Lone’s JKPC which garnered 8.1 per cent votes. This reduced the PDP to third position within the alliance, in terms of voter share, though it won 10 seats against that of eight by the JKPC. On the other hand, the consolation for the BJP is that the votes it polled were more than that of the Gupkar alliance plus that of the Congress as the latter received 479,685 votes against 487,364 polled by the BJP. To that extent, the BJP has been a gainer, with the PDP and the Congress being the major losers.

Another significant feature of this election has been the unexpectedly high proportion of votes garnered by independents. They secured 41.8 per cent in the Kashmir region and 44.3 per cent in the Jammu area. It is commonly believed that independents do garner a high percentage of seats in local body elections, but even by those standards, the percentage is abnormally high. This factor is viewed as the emergence of a new and young leadership eager to participate in administration.

Overall, the DDC elections have merely managed to mirror the decade old fault lines that existed in Jammu and Kashmir. Neither could the BJP manage to make deeper inroads into the Kashmir region nor could the PAGD-combine establish any hegemony in the Jammu region. Thus, if the objective of the Union government indeed was to divert attention away from the major players at the sub-national level by introducing another tier at the district level, the extent of success achieved is yet to be evaluated. The BJP has gained decisive

² M Saleem Pandit, “How ‘outsider Alif Bukhari turned the tables on Gupkar alliance in Srinagar”, *The Times of India*, 24 December 2020. <https://timesofindia.indiatimes.com/india/how-outsider-alf-bukhari-turned-the-tables-on-gupkar-alliance-in-srinagar/articleshow/79929461.cms>.

dominance in six out of 10 districts in the Jammu region and the PAGD has gained majority in nine out of 10 districts in the Srinagar area.

The centre has used the election process to project the idea that “incident free” polling reflects the acceptance among majority of the people of the revocation of the “special status” that J&K enjoyed for 70 years. They would like to argue that “normalcy” has indeed been achieved by the present government. The ground level reality of this claim remains to be proven. Participation of the PAGD group of parties has been a shot in the arm for the administration as it lends authenticity to the process.

A Trial Balloon?

It is widely believed that the BJP wanted the election to be a kind of trial balloon for it to formulate a political roadmap in terms of restoring the democratic process. Considering that neither group has gained dominance beyond its earlier area of influence, conducting assembly elections do not seem to be in the realm of possibility soon. In any case, the process of delimitation must precede it. There are no signs of that process commencing either. Maybe, these elections would provide a pointer of how the delimitation must be done in case the BJP has to establish its total dominance in both regions. The elections have given the PAGD group of political parties the space to assert its presence and rally sympathisers around repudiation of the Article 370 abrogation. However, unless the assembly elections are held sooner than later, the fragile alliance within the PAGD partners may implode due to the conflicts in attaining supremacy amongst their aspirants within the DDCs.

It is, however, a fact that unless elections are held and the Assembly formally convened, the scope for political activity will be limited. Also considering that restoration of Article 370 does not appear to be a remote possibility; any elected government would have very limited political flexibility as it would not have the autonomy that it enjoyed earlier. Thus, all political parties within the alliance, for the present, must be content with the idea of further enhancing their presence in areas where they see an opening, even in the Jammu region. The BJP appears to be happy, having made inroads into the Kashmir region by gaining three seats. Nevertheless, it could not break religious and regional polarisation. Neither group has been able to break that factor. The BJP seeking votes on the grounds of development and giving Kashmiris newer avenues of livelihood seems to have made marginal impact. On the other hand, the Gupkar alliance partners do not seem to have enlarged their voter base premised on their clarion call seeking restoration of the August 2019 status. There is much ground to be covered on both sides if the prosperity, economic development and coalescing of the population into a unified citizenry, must be achieved.

.....

Mr Vinod Rai is a Distinguished Visiting Research Fellow at the Institute of South Asian Studies (ISAS), an autonomous research institute at the National University of Singapore (NUS). He is a former Comptroller and Auditor General of India. He can be contacted at isasvr@nus.edu.sg. The author bears full responsibility for the facts cited and opinions expressed in this paper.