Politico-Administrative Aspects of Ladakh Autonomous Hill Development Councils of Leh and Kargil district of Jammu And Kashmir

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Abstract
The present article pertains to Politico-Administration Aspects of Ladakh Autonomous Hill Development Councils of Leh and Kargil Districts of Jammu And Kashmir State. The major objective of this article is to highlight or see the overall changes in Ladakh Politics as well as administrative changes especially after the formation of Hill Development Councils in Leh and Kargil districts of Ladakh region of Jammu and Kashmir. In this article an attempt has been made to highlight the administrative pattern of the Hill Development Council as well as of its Executive Councils as an apex policy making governing body. The organizational set up, administrative pattern and the implementation policies and programs at the operative level have also been inquired into so as to identify various problems faced by the Hill Development Councils and its operational management staff. Finally on the basis research inquiry concluding observation has been made and some recommendations have also been suggested for improving the administrative working of Hill Development Councils.

Keywords: Hill Development Councils, Devolution of power, Empowerment, Circulation of new elites.

Introduction
Ladakh is one of the loftiest and remotest inhabited regions of the world. It constitutes 70 per cent geographical area of Jammu and Kashmir State and lies in the northernmost part of the country in the outer Himalaya. It is well known as cold desert. The population of Ladakh region as projected in 2011 census was place at 274,289. The density of population is more in Kargil district (10) as comparative to Leh district (3). In Ladakh region Muslim population is in majority as per 2001 census (47%), Kargil constitutes majority of Muslim population (80.43%) and in Leh district Muslim in minority (13.78%). While Buddhist population as per 2001 in Ladakh region constitutes (45%) Leh districts constitute Buddhists in majority (77.30%) and in Kargil district Buddhist in minority (14.98%).

Administrative Aspect Of Ladakh Autonomous Hill Development Councils
Though the institution of Ladakh Autonomous Hill Development Councils were granted to both Leh and Kargil Districts of Ladakh Region by the Central Government in 1995 but Kargil District did not accept this mechanism in 1995. However, after the successful working of Ladakh Autonomous Hill Development Council Leh established in 1995, that a similar Hill Development Council was established for Kargil in 2003. The Hill Development Councils was envisaged as a dynamic instrument for empowering the Ladakhi people and for deciding their local developmental priorities. Some of its functions were to allot, use and occupy land vested in it, to formulate the budget and developmental programs for the districts as well as issuing of guidelines for implementing schemes at the grassroots level etc.

Composition And Functions of Councils
The total number of seats in the Councils to be filed by persons chosen by direct election on the basis of adult suffrage from territorial constituencies shall be twenty six. The Government may nominate not more than four persons from amongst the principal religious minorities and women in the districts to be members of the Councils. The sitting members of the Legislative Assembly of the State of Jammu and Kashmir and the sitting Members of Parliament as the case may be, in which the district is situated shall be ex-officio members of the Councils constituted for the districts. The Councils meet for the conduct of business at least once in every three months and conduct its business. The quorum necessary for the transaction of business at a meeting of the Councils shall be by a simple majority of votes of the members present and in case of a tie the Chairman shall have a casting vote. The ex-officio members of the Councils have no rights to vote in the meetings of the Councils. Executive Councils consisting of the Chairman who shall be the Chief Executive Councilor, four members to be nominated by the Chief Executive Councilor from amongst the members of the Councils provided that at least one member shall be nominated from amongst the principal religious minorities in the districts.

The Chairman shall preside over the meeting of the Councils. He/she is also responsible for the maintenance of the records of the Councils. The Chief Executive Councilor shall exercise general superintendence and control over all employees of the Councils. The Executive Councils shall meet not less than once in every month for the transaction of business at such place and at
such time as the Chief Executive Councillor may direct. The executive powers of the Councils shall vest in the Executive Councils. The Executive Councils shall be collectively responsible to the councils. The chief executive councilors Ladakh Autonomous Hill Development Councils Leh/Kargil has the status of cabinet ministers while four executive councilors have the rank of deputy ministers as per the constitutional provision the Ladakh Autonomous Hill Development Council Leh and Kargil can have only four executive councilors in charge of different departments. The quorum necessary for the transaction of business at a meeting of the Executive Councils shall be three members. The Councils shall have executive powers in the districts in relation to allotment, use and occupation of land vested in the Councils, formulation of development programed for the district in respect of district component schemes as notified by the Government and centrally sponsored scheme and indicate priorities for various scheme and consider issues relating to the speedy development and economic up-liftment of the districts, Periodical review of the progress and achievement of developmental plans and schemes, formulation and finalization of the budget (plane and non-plan) Laying down guidelines for implementation of schemes at grass roots level, promotion of languages and culture of the area, use of canal or water sources for the purpose of agriculture, maintenance of sanitation, hospitals and dispensaries, construction and maintenance of roads except highways preservation etc. The Councils shall formulate the district’s plan in accordance with the guidelines as may be laid down by the Planning Commission and the Government and communicated by the Government to the Councils. The centrally sponsored schemes under execution in the districts or to be executed in future shall from part of the plan budget of the Councils. Notwithstanding anything contained in the Jammu and Kashmir Panchayat Raj Act 1989, the Councils shall be deemed to be the district planning and development board for the district for performing the functions and exercising the powers under that Act.

Chief Executive Officers

Deputy Commissioner of the districts (Leh and Kargil) shall be the Chief Executive Officers of the Councils. The Chief Executive Officers shall have the right to be present at the meeting of the Councils, the Executive Councils and take part in the proceedings of such meetings but shall not have the right to vote. All employees of the Councils shall be subordinate to the Chief Executive Officers. The Chief Executive Officers shall be responsible for enforcing financial discipline and strict economy at every step and for observance of all provisions of the Act and rules regulations made under. The Chief Executive Officers shall operate the Councils fund and shall also be the principal drawing and disbursing officers in respect of all expenditure and payment from the Councils fund; All Government employees in the districts except the judicial employees and police personnel shall be deemed to be the transferred employees on such terms and conditions to be notified by the Government from time to time, provided that the terms and conditions of service of an employee of the Government transferred to the Councils shall not be varied to his/her advantage.

CONSTITUTION OF INTER DISTRICT ADVISORY COUNCIL

The Government may in consultation with the Councils of Leh and Kargil by notification in the Government Gazette constitute an Advisory Council to be called the Inter-District Advisory Council consisting of such number of persons as it may think fit for advising the Councils:- On matter of common interest to both the districts, on the measure to be adopted for resolving differences between the councils, on the measures to be taken for preservation of communal harmony in the Ladakh region.

Political Aspect Of Ladakh Autonomous Hill Development Councils

The new Chief Executive Councilor will be elected by the simple majority that is in the house of 30 of them 26 elected member plus four nominated the party with 16 members will get the new Chief Executive Councilor. The Ladakh Autonomous Hill Development Councils Leh/Kargil constitution authorized the state government to nominate four councilors to the council which has total strength of 30. The chief executive councilors Ladakh Autonomous Hill Development Councils Leh/Kargil has the status of cabinet ministers while four executive councilors have the rank of deputy ministers as per the constitutional provision the Ladakh Autonomous Hill Development Councils as per the rules governing the council the Deputy Commissioner Leh in his/her capacity as the Chief Executive Officers of Ladakh Autonomous Hill Development Councils Leh has called the newly elected councilors to meet to elect new Chief Executive Councilor. The government can nominate four councilors before elections of the Chief Executive Councilor as they have all the voting rights. Ladakh Autonomous Hill Development Councils came into existence in 1995 which led to new political developments witnessed in the politics of Ladakh. In other words, political consciousness regarding inputs as well as outputs about system, political participation increased, circulation of new political elites, emergence of ruling party and opposition party for 30 seats of Hill Development Councils in both the districts, coalition politics
In Leh district of Ladakh region, Indian National Congress party dominated the Hill Council. Ladakh Union Territory Front (LUTF) also forms the Government once. Discourse of Leh politics is contestation of politics between Indian National Congress and Bhartiya Janta Party; politics prevail over Union Territory status for Ladakh. Manipulation of religious institution by political leaders for political gain is also plays an important role in Leh district. The Ladakh Autonomous Hill Development Council Leh has come into existence in 1995 and 2015 election for the Ladakh Autonomous Hill Development Council-Leh was the fifth election to the councils with India National Congress emerging winner in three and Ladakh Union Territory Front once. Result of fifth election (2015) to the councils declared, BJP had won 18 seats two third majority followed by Congress 5 National Conference 2 and 1 Independent. Earlier Indian National Congress had 22 and BJP 4 seats in the council. This is however for the first time BJP will form the government in the council of Leh. This time direct contest between BJP and Congress which contest 25 seats each PDP and National Conference had put up eight candidates each. New Ladakh Movement party (newly party) also in fray for 17 seats. Rests were independent.

The narration of Kargil district is different, though structure of Hill Development Councils is same in both districts but politics prevail over Hill Development Councils in both districts is different in flavor like in Kargil, contestation politics between National Conference support by Islamiya School (religious institution) and National Congress support by Imam Khomeini Memorial Trust (religious institution). History said that National Conference has strong hold in Kargil moreover ideology of National Conference has more say in Kargil. But 2013 Hill Council election has paradigm shift in Kargil politics because for the first time in Kargil, National Conference confronts competitive politics with National Congress in the Hill Council election, which won 2013 Hill Council Election. Moreover interestingly Congress party brings outstanding results from those area were National Conference for once hold strong position. Congress party has made significant gains in this Hill Council election as it has managed to almost double its tally. Congress party which had earlier had only 8 seats have been able to increase its tally to 15, while as National Conference which earlier had 18 seats has been reduced to 11. Discourse of Leh politics is different where contestation of politics between National Congress and Bhartiya Janta Party, politics prevail over Union Territory status for Ladakh. Religion also plays an important role in Leh district also.

Major Achievements Of Ladakh Autonomous Hill Development Councils – Leh And Kargil Districts

Following are the major achievements of Ladakh (Leh and Kargil) Autonomous Hill Development Councils till date;

a) The quality of work has improved as Ladakh Autonomous Hill Development Councils-Leh and Kargil excercise supervision over different departments of the district of Leh and Kargil.

b) The Hill Development Councils act as a grievances redressal mechanism. It was only after the establishment of Hill Development Councils in both Leh and Kargil that basic problems of local people become priority for the officials of Hill Development Councils. Even the policies and programs of Government are shared with locals and participation of locals in this process has increased. Within the ambit of Hill Development Councils’ powers, Chief Executive Councilors and Executive Councilors of the Hill Development Councils of Leh and Kargil districts endeavor to address the problems of local people.

c) Improvement of planning strategies in the District Plan is new discourse in Leh district of Ladakh region. Presently Hill Development Council- Leh conducts micro level planning for the maximum utilization of local resources and effective implementation of policy and programmes. Special emphasis on sustainable and inclusive development of the district is also priority of council.

d) Improvement in infrastructure (road and bridge) in Ladakh region, increased manifold and connectivity within Ladakh remained one of the priorities of both the Hill Development Councils Leh and Kargil and both the Hill Development Councils almost achieved it with the help of State Government and Central Government.

e) The debates on evaluation of the performance and failure of the officials of Hill Development Councils amongst civil society of Leh and Kargil districts has increased. Moreover, members of civil society also share their opinion regarding the performance and failure of the officials of Hill Development Councils in local newspapers and magazines like Rangyal, Ladakh Reach.

f) Another important milestone achievement of Ladakh Autonomous Hill Development Councils of Leh and Kargil is the change in decision making process. Like Women, minorities and periphery people of Ladakh region have become an important part in decision making process. It is only after the formation of Ladakh Autonomous Hill Development Councils that such a discourse came into reality.
g) Circulation of political elites in Ladakh politics came into reality only after the formation of Hill Development Councils. Formation of Hill Development Councils in Leh and Kargil districts of Ladakh region changed the whole narrative of local politics and hegemony of traditional elites like la-malkaga/akhoon/sayeed (aristocracy and religious head) in Leh and agha/kacho/munshi (religious heads) in Kargil were ousted.

On the basis of above analysis, it may be concluded that decentralization of power in the form of Ladakh Autonomous Hill Development Councils in Leh and Kargil Districts of Ladakh region has further deepened the democratic values and processes in the society.

Problems Of Administrative Management
Following are the main problems which Ladakh Autonomous Hill Development Councils Leh and Kargil confront, while performing their functions are as under:-

a) The Ladakh Autonomous Hill Development Council Leh and Kargil are assigned with the responsibility of efficient managements of various departments. But presently different head of the department appointed by the State Government without consulting Ladakh Autonomous Hill Development Council-Leh and Kargil and Chief Executive Councilors have no authority to imposing penalties on the erring officers after formal departmental inquiry which brings many problems in the functioning of Ladakh Autonomous Hill Development Council-Leh and Kargil. It is in this context Hill Council of Leh and Kargil have unanimously decided to press the Government for giving power to the Chief Executive Councilors imposing penalties on the erring officers after formal departmental inquiry. It has unanimously been decided by the Hill Councils that their consent should be taken before posting of Deputy Commissioner, Superintendent of Police, Superintending Engineering, PWD in Leh and Kargil besides they must have role to play in the posting of the officers other than district officers.

b) Allocation of budgets is very minimal for existing Ladakh Autonomous Hill Development Council - Leh and Kargil. There is need to enhancement of budget because of its geographical barriers every matter materials become costly which also bring obstacles in functioning of Ladakh Autonomous Hill Development Council -Leh and Kargil. Though Ladakh Autonomous Hill Development Council-Leh and Kargil is a mean for the effective developmental activities for Ladakh region but without handsome budgets, Ladakh Autonomous Hill Development Council-Leh and Kargil failed to achieve its desired objectives. Present Ladakh Autonomous Hill Development Council-Leh and Kargil is functioning only on district plane budget. Moreover Ladakh Autonomous Hill Development Council-Leh and Kargil wait to June and July for allocation of budget but working season in Ladakh region is very short that is start from June to October, that automatically lapse maximum funds.

c) Political hindrance in the proper functioning of LAHDCs of Ladakh region is another important problem. Sometime the formation of Government in Leh and Kargil for 26 seats with different set of ideology and formation of State Government with its own set of ideology become bone of contention between the Hill Councils and State Government. Such a discourse obstruct in the functioning of Hill Development Councils of Ladakh.

d) A common complaint is that the Councilors have been more anxious with their status according to Jammu and Kashmir State protocol than with establishing a working relationship with the bureaucracy. According to the Hill Council Act, the Deputy Commissioner serves as Chief Executive Officer of the Council, and presides over meetings. But real power is supposed to lie with the Chief Executive Councillor, who is elected by the members of the Councils from among themselves.

e) Many are convinced that the Council’s ineffectiveness has to do with the members’ lack of political wisdom and administrative experience. The Executive Councilors, who had experienced either unfortunately passed away, retire from active politics, become Member of Parliament or Member of Legislative Assembly or become Member of Legislative Council. Those remaining are amateurs, part-time politicians.

f) Ladakh Autonomous Hill Development Council-Leh realizes that the existing role, mandate, capacity and funding of the Planning Department is too narrow and limited. Therefore, there is an urgency to transform this department into a vibrant, competent and resourceful unit capable of playing the coordinating role mandated to it and providing necessary support to the Council, sectoral agencies and other stakeholders in order to help develop well – planned development interventions in the Districts.

Miscellaneous Problems
Misuse nominee councilors appointed by the government for the sake of power politics, in theory decentralization of powers confers to Hill Developments Councils but in reality there is still need to proper decentralize/empower, politicization of religion generally took place, corruption, trust deficit between Hill councils and State Government, internal rivalry, populism, nepotism, lack of women participation in decision making. Though, two seats for women are nominated by the government in 30 members’ councils. Still there are no records of women executive councilor in both the districts.
Recommendations

Creation of Hill Councils carried the fundamental idea of giving local population a structure and powers that would answer their urge for economic social and cultural development. This came into being through an act of the legislature. It has generally been found that devolution of powers has proved useful in solving the problems of the people concerned. It helps in creating the sense of responsibility, owing to ethnic and geographical peculiarities of the region, empowerment of the councils would be right step in addressing their difficulties. The State Government will have to realize that the proper functioning of the Council is also in its interest. It is time to forget personal feuds and political rivalries, and get on with the job that they were elected to do. There is need to encourage and promoting local initiatives for development through decentralization and empowerment of Panchayat raj institution/municipal cooperation and other people’s organization so as to ensure effective participation of people in the development process. Creating more space for innovation and experimentation, emphasizing on learning and sharing, Promoting a more decentralized mode of operation with greater emphasis on local initiatives. Converting all possible desired actions into budget heads – enhancing visibility and allowing better planning, monitoring and impact assessment, creating a more supportive environment for sectors to strengthen focus on program development work. Enhancement of annual budget for Ladakh Autonomous Hill Development Council-Leh and Kargil should be proposed by keeping the geographical location and its peculiar problems because existence budget is not sufficient for the effective function of Ladakh Autonomous Hill Development Councils Leh and Kargil.

So the need of the hour is also that consensus demands of Ladakh Autonomous Hill Development Council should be accommodate for the larger interest of the society. The consensus between Hill Councils of Leh and Kargil in this regard was arrived at in the latest round of discussion held in Kargil in 2013. The high level meeting was attended by Chief Executive Councilor of Ladakh Autonomous Hill Development Council Leh Rigzen Spalbar, his Kargil counterpart Kacho Ahmed Ali Khan, Member of Parliament of Ladakh region Gulam Hassan Khan Member of Legislative Council Norboo Gyaltson and some Executive Councilor of both the Councils. In the meeting it was unanimously felt that unless both the Councils make collective efforts the issues pending with the Government regarding empowerment cannot be taken to the logical conclusion. It was observed that though on the direction of the Chief Min-

ister, some issues were redressed at the administrative level yet several vital issues remain unresolved for which necessary direction are required to be issued from such forum, which has complete representation from the Ladakh region. Accordingly the Hill Councils have urged then Chief Minister Omar Abdullah to immediately convene meeting of Ladakh affairs minister, all Member Legislative Assembly, Member of Legislative Councils, Member of Parliament from the region and all concerned in order to strengthen and empower these autonomous bodies.

Hill Development Councils of Leh and Kargil have jointly sought more administrative control over the officers posted in the respective districts and ministerial powers for the Chief Executive Council and Executive Councilors by carrying out necessary amendment in the Ladakh Autonomous Hill Development Council Act. Both the Hill Development Councils are in the favors of conferring powers of the ministers of the Chief Executive Councilor and Executive Councilors for their respective department and both Hill Councils have unanimously decided to press the government for giving powers to the Chief Executive Councilor for imposing penalties on the erring officers after formal departmental inquiry. There is also collective demand for giving sufficient powers to the Chief Executive Councilor and Executive Councilor to either review or accept the annual performance report of the district officers adding for other block level officers. Seeking bifurcation of the power of the Deputy Commissioners/ Chief Executive Officers of the Hill Councils by way of District Magistrate/Collector, the Hill Councils have decided to urge the Government to confer powers of Commissioners Secretary to Secretary/Chief Executive Officer in order to take decisions in respect of Ladakh Autonomous Hill Development Council. The Hill Councils have also decided to seek five sections comprising of one section officers, two senior assistant and two joint assistants to be under the control of Executive Councilor in charge of the department. Similarly they are going to demand five under/deputy secretary level officers above section officers. It has unanimously been decided by the Hill Councils that their consent should be taken before posting of Deputy Commissioner, Superintendent of Police, Superintending Engineer, PWD in Leh and Kargil besides they must have role to play in the posting of the officers other than the district officers.

The Hill Councils have already submitted a joint memorandum to the Chief Minister seeking pension to Chairman/Chief Executive Councilor and the Executive Councilor on the pattern of Legislators. Moreover there is also a common demand that nominated Councilors should not give voting rights for electing or removal of the Chairman/ Chief Executive Councilor. The other demand which were unanimously agreed to in the joint
meeting are grant of Divisional status to Ladakh and creation of police range, immediate functioning of recently created sub transmission division of the power development department, enhancement of plan allocation and filling up of posts of Private Secretary to Chief Executive Councilor should be accommodate for the larger interest of people of Ladakh region.

Conclusion
In the concluding of this article an attempt has been made to broadly summarize the issues raised in this article to make an assessment about administrative management and problems of Hill Development Councils in its effective function in Ladakh region. Effort also has been made to understand politics prevail over Hill Development Councils of Leh and Kargil. Politicization of religion by both these organizations (Islamiya School & Imam Khomeini Memorial Trust) came into lime light. Recently examples Hill Council of Kargil election (2013) shows manifestation of religion in politics, as main contestation of Hill Council election between National Conference and National Congress former supported by Islamiya School (religious organization) and later supported by Imam Khomeini Memorial Trust (religious organization).

Political leaders and religious heads used religion like opium as Karl marks said to strengthen or fulfilling elite interest. Traditional structure strengthens in Kargil because elite (aghas, khan, kacho, akhoon) of Kargil’s interest is in traditional structure. That is why political elites and religious heads of Kargil succeed to produce and reproduced the hegemonic values which help them to fulfill their vested interest. So in this context, we can say that religion remain one of the important factor in political mobilization in both districts. Though both district politicize religion in Ladakh district but it to be noted that Leh Buddhist used it against State Government in particular and Center Government in general especially to expose religious discrimination within Jammu and Kashmir State but such flavor is absent in Kargil district of Ladakh. It was in this context political elites of Kargil politicize religion in two different contexts firstly, strengthen their respective religious organizations (Islamiya School & Imam Khomeini Memorial Trust) which is the source of power for political elites. Secondly use religion against to counter the hegemonic politics of Ladakh Buddhist Association’s claims.

The Hill Council was envisaged as a dynamic instrument for empowering the Ladakhi people and for deciding their local development priorities. After a decade of operation, however, the Hill Councils-Leh has failed to adequately address local issues. Many elected councilors have found that their de-facto powers are limited by the State Government’s attempts to sabotage their works. Little concession made in 2002-2003 when People Democratic Party led State Government granted the powers to the Hill Council. Despite such a concession, Frustration still lingers as the promise of autonomy is hampered by lack of cooperation between Local and State government. Issues like corruption, insufficient funding to carry out mandates and internal strife. It has generally been found that devolution of powers has proved useful in solving the problems of the people concerned. It helps in creating the sense of responsibility, owing to ethnic and geographical peculiarities of the region, empowerment of the councils would be right step in addressing their difficulties. Therefore it is time to, reconcile and redress the unresolved communal, political and administrative issues by coming together on common platform to give a unified fight by supporting genuine demands of the region to share fruits of peace and development and should construct an inclusive identity of Ladakh in which every section of Ladakhi must be represent irrespective of religion, caste, class, race. Few year back Hill Councils of Leh and Kargil jointly sought amendments in Ladakh Autonomous Hill Development Council Act for the effective functioning of Hill Councils. The State Government yet to approve these demands. Accommodation of such demands, for the larger interest of the society is the need of the hour. The State Government will have to realize that the proper functioning of the Council is also in its interest. It is time to forget personal feuds and political rivalries, and get on with the job that they were elected to do.

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