



MANAGERIAL EFFICACY OF JAGRATHA SAMITHI: A CASE STUDY OF PANANCHERY PANCHAYAT OF KERALA

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Abstract

Governments have enacted legal provisions and enhancement mechanisms to protect and prevent women and girls from violence, but when it comes to implementation, it may not work properly because of various reasons. Jagratha Samithi Cum Family Empowerment Forum (JScFEF) is the mechanism to protect women and children from violence, which are considered as meso and micro-level Women's Commissions, were formed initially through a Government Order in 1997, to attain gender equality and justice. Jagratha Samithi has social responsibility to upbringing and mainstreaming gender equality in the process of decentralisation which leads to the upliftment of women's status in the society. The particular study tries to understand the managerial efficacy of Jagratha Samithi in Pananchery Panchayat of Thrissur District. The study also tries to analyses how far the Jagratha Samithi is effective for protecting the rights of women and girls and helping them to seek justice in the existing legal system.

Keywords: - Jagratha Samithi, Panchayat, Violence against women, gender equality, Pananchery, Empowerment, Decentralisation, Vigilance committee etc.

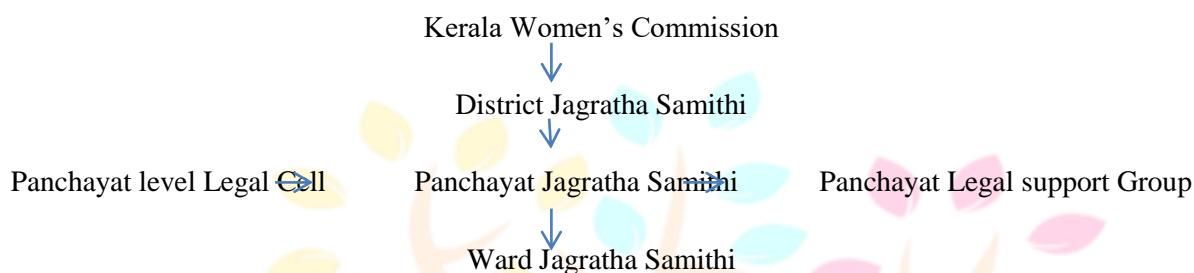
Introduction

Jagratha Samithi is a vigilance committee formed at grass root levels in Kerala, destined to play a very important role in the days to come. It provides the ideal platform at the village level for the empowerment and mainstreaming gender in local governance. It functions from ward level to its higher levels such as Panchayats, Municipalities, Corporations and Districts with judicial powers to intervene and finding solutions to cases of violence against women and children. It has the responsibility and right to take cases, conduct investigations and take proper decisions of issues of women and it is one of the strong judicial bodies to protect the rights of women and help them to seek justice without any expenses. Increasing awareness about the merits and potentials of local

governance in encouraging such initiatives that address various communities needs to take shape. Resolution of local conflicts is among these needs and the Jagratha Samithi provides an ideal mechanism to make this happen.

The Government of Kerala issued an order in 1997 regarding the setting up of District level Jagratha Samithi to address the cases of violence against women and to ensure protection of women's rights and as a result of such order, 856 Jagratha Samithis are constituted throughout the state. Panchayat Jagratha Samithi is a vigilant group of citizens and plays a vital role to prevent crimes against women. These vigilant committees were constituted with an idea to help in reducing the distance between women and various facilities offered by State Women's Commission.

Organizational Structure of Jagratha Samithi when it was formed



According to the Government Order dated 28.05.2004 from Social Welfare Department (G.O (MS) No. 39/2004/SWD), there will be six members in a Panchayat Jagratha Samithi. The District Panchayat Jagratha Samithi should be supervised by the District Collectors and were to have Presidents of the District Panchayat, District Police Heads, the Revenue Divisional Officer in his/her capacity as dowry Prohibition Officer, Representative of Municipal Chairpersons from the district, a lady lawyer, a lady doctor and three representatives of grass root NGOs as members. Immediately after this, the Government issued another order setting up Jagratha Samithi in each Panchayat for the same purpose as that of District Committees. **Members of Panchayat Jagratha Samithi: Before and after the Ordinance**

	Before Passing the Ordinance		After Passing the Ordinance (Proposed Members)
1	President of the Panchayat (Chairperson)	1	President of the Panchayat (Chairperson)
2	Integrated Child Development Scheme (ICDS) Supervisor (Convener)	2	Panchayat Secretary (Convener)
		3	ICDS Supervisor- member Secretary
	Members		Members
3	One women (Elected Panchayat Member)	4	Welfare Standing Committee Chairperson

4	One lady lawyer (nominated by the Panchayat)	5	One lady Lawyer (nominated by the Panchayat)
5	Circle Inspector/ Sub Inspector of Police	6	Circle Inspector/ Sub Inspector of Police
6	One lady Social Worker or counsellor from the SC/ST community	7	One lady Social Worker or counsellor from the SC/ST community
7	Lady Doctor of Primary Health Centre	8	Lady Doctor of Primary Health Centre
8	Selected Member from Ward Jagratha Samithi Conveners	9	A Trained Counsellor
9	CDS Chairperson	10	CDS Chairperson
		11	Head Teacher of Government/ Aided School or Principal of Higher Secondary School

The Panchayat Jagratha Samithi should be headed by Panchayat President and ICDS (Integrated Child Development Scheme) supervisor should be the convener of Jagratha Samithi, and 2/3rd of the members should be women. In addition to these, there should be a Police Officer, a lady Doctor, a lady Lawyer, women representative of Ward Samithi, Kudumbashree CDS Chairperson also should be permanent invitees of the Samithi. There are two committees to assist the JS are Legal advisory committee and support committee. The legal advisory committee is to provide legal advice to the Samithi, to link JS with the existing legal mechanisms, to provide assistance to legal awareness campaigns etc. The JS can summon the meeting of legal advisory committee whenever the members need clarification regarding legal formalities. While the support committee consists of all the implementing officials of the Panchayat concerned, conveners of Ward JS, Panchayat members who are not members of JS, Block as well as district Samithi members, elected representatives and representatives of NGOs. The main objectives of the committee is to provide advice and assistance to both ward and Panchayat JS, to find out different ways to sort out the issues highlighted through JS, create awareness programmes and so on.

The complaints can be written, oral (such complaints must be registered in writing by the convener with the signature of the complainer and a witness) through the complaint box or by post. Apart from this, Jagratha Samithi can file a case if any of the members feel that the Samithi has to take up any specific problem. In such situations, the issue has to be discussed in the Samithi. The issues should, as determined as possible, be resolved at the ward level and if not, could be taken to Gram Panchayat level. Higher level consultation, where requisite, would be taken up first with District Committees, then with the State Women's Commission.

Demographic Particulars of Pananchery Panchayat

SI NO	ITEMS	MALE	FEMALE	TOTAL
1	Population	9656	10176	19832
2	Scheduled Caste Population	789	915	1704
3	Scheduled Tribe Population	131	176	307
4	Literate Population	8366	8348	16714
5	Working Population	1924	843	2767
6	Main Working Population	1745	593	2338
7	Main Agricultural Labour Population	162	52	214
8	Marginal Working Population	179	250	429
9	Marginal Agricultural Population	16	31	47
10	Non-working Population	1776	3129	4905

Source: Census of India, 2011

Pananchery Panchayat is the largest Panchayat situated in Ollukkara block of Thrissur district consisting of 23 wards, covers an area of 141.71 sq. km and is spread over the villages of Pananchery and Peechi. The population is 42,418 with a sex ratio of 1028. The Scheduled cast and tribal population constituted 11% and there are 12, 412 houses. About 70% of the population still depends on agriculture.

Methodology

This paper to find out what activities were implemented by the governing body through JS at the Panchayat level in preventing violence against women and girls in their regions, to find out the importance of JS and their activities in the Panchayat it was important to visit and analyze the role of elected representatives in the Panchayat. Therefore, an empirical study was carried out from Pananchery Panchayat of Thrissur District by using semi- structured interview schedule with a total of 45 candidates including elected representatives and Government employees in the Panchayat office. Among them 30 were women and 15 were men, all the interviewees were the members of JS from 2015 to 2020 and Government employees in the Panchayat. The Panchayat President is the chairperson/chairman of the JS in every Panchayat and it is mandatory for the Panchayat President to attend all the meetings of JS. The Primary interview were conducted in 2017, discussion with elected representatives of the

Panchayat concerned, elaborated the importance of strengthening JS in all the grass root level for preventing all forms of atrocities against women and children. In addition to this, participant observation of various activities such as seminars, awareness programmes and case sitting at the Panchayat were part of the study.

Socio-Demographic profiles of the Respondents

Sl.NO	Socio-demographic profiles	Category	Male	Female
1	Age	Age between 25-35 36-45 46-55 55-65	2 5 4 4	7 10 11 2
2	Educational Qualification	High School Secondary school Graduate Post graduate Professional training	3 5 4 2 1	0 5 22 3 0
3	Family status	Married Not Married Separated/divorced	15 0 0	30 0 0
4	Employment	Government employee Self-Employee Unemployed Retired Other	7 4 0 2 2	20 5 2 0 3
5	Monthly Income	Below 10000 10000-20000 20000-30000 30000-40000	0 2 6 7	0 6 4 20
6	Any Political party affiliation	Yes No	15 0	30 0
7	Other Organizational leadership	Yes No	8 7	18 12
	Total		15	30

Source: Author

Efficacy of Jagratha Samithi in Pananchery Panchayat: An Analysis

The 73rd and 74th Constitutional Amendments of 1994, local bodies became self-governments with the devolution of functions, funds and functionaries. The Capacity Development for Decentralization in Kerala invited NGOs including SEWA who work at grassroots level for a discussion on the possible projects for the empowerment of local-self-governments during 2004 and it was learned that projects could be submitted under the broad categories of gender, environment, sustainable development, energy etc. The project had high relevance

because, right from 1997, Government Order had been issued by the government regarding the constitution and functioning of Jagratha Samithi at every level of local-self-governments and the Women's Commission also had revived the formation of Jagratha Samithi during 2004 but it had not taken off. Perhaps, lack of political will, lack of clarity regarding its social needs, paucity and significance were the reasons. The Government Order envisaged the Samithi as a forum to settle women-specific cases at Panchayat level, but Pananchery project had the additional component of family empowerment which targeted the empowerment of families by transforming them into egalitarian spaces based on mutual respect.

Jagratha Samithi in Pananchery Panchayat was constituted on 8.03.2005. Pananchery Panchayat also had a practice of conducting Samithi meeting on a particular day. Samithi meeting every third Saturday and there was specific day for case hearing also. Pananchery Panchayat had conducted many campaigns as part of Samithi activities. Training on themes like Alcoholism, women and legislation, child marriage etc. were conducted with the help of Kerala women's commission and the members of state commission for women have participated as resource persons in these trainings. The Samithi in Pananchery Panchayat has functioned very well till 2016 and later the activities of the Samithi got restricted to do nothing but case hearing. The ICDS supervisor of the Panchayat handled the duties of two Panchayat at a time and it has seriously hampered the day to day functioning of Jagratha Samithi. It is very difficult task to handle the activities of three Panchayat at a time, and the ICDS supervisor will not have sufficient time to expand the activities of the Samithi. Still as Jagratha Samithi has gained popularity among the public, complaints were being registered regularly and it is beyond doubt a positive sign. Pananchery Panchayat consisting of 23 wards and ward level Samithis had been constituted but their activities and support towards the activities of Panchayat Samithi were pathetic.

Efficacy of Jagratha Samithi in dealing with cases of violence against women

The efficacy of Jagratha Samithi is to be assessed on the basis of increased understanding of the people, usefulness of the Samithi, methods used for redressal, trends of reporting cases, continuity, etc. It is in such a socio-political state of affairs this study is conducted.

SI NO	Year	No. of cases registered	No. of cases disposed	No. of cases referred	No. of cases pending for decision
1	2005	371	276	69	26
2	2006	302	289	13	-
3	2007	287	270	-	17
4	2008	149	140	9	-
5	2009	104	96	8	-
6	2010	95	87	8	-
7	2011	110	106	-	4
8	2012	144	143	-	1

9	2013	115	113	-	2
10	2014	28	28	-	-
11	2015	21	21	-	-
12	2016	16	16	-	-
13	2017	9	9	-	-
	TOTAL	1751	1594	107	50

Source: From Pananchery PJS office, Thrissur, 2017

Jagratha Samithi of Pananchery Panchayat has registered 1751 since its establishment in 2005. Jagratha Samithi has a very early beginning in Pananchery compared to other selected Panchayat of the study. Nevertheless, the pattern of reporting cases shows a balanced heard, even though there is a decline in registration of cases over the years. It is also noted that unlike many other Panchayat, there is no years with a zero reporting of cases in the Panchayat and that is a quite positive situation which needs to be applauded.

The table shows the efficacy of Jagratha Samithi in dealing and finding solutions to the cases of gender violence. The percentage of disposed cases is 91% (1594 cases out of 1751). The gap between registered and disposed cases was gradually decreasing since its establishment. In 2005, out of total registered cases (371) 276 cases were disposed. The following years, notice the fact that the percentage of decreased cases were increased. In 2014 – 15, the Samithi registered 28 and 21 cases respectively and all the cases were disposed amicably by the Samithi. This may be results of situations as we have seen in case of Jagratha Samithi that the accused most of the time decline to appear before the Samithi even after receiving summons more than one in this situation Samithi got police aid and to present the opposition before the Samithi. The highest number of complaints have been registered to Pananchery Panchayat i.e. 1751 from 2005 to 2017 out of 1751 complaints, 1599 have been amicably disposed through their active interference, 107 cases have been referred and there are 45 cases to be solved.

Nature of cases received by the Samithi

Sl.NO	Nature of Cases	No. of Cases
1	Civil cases	654
2	Criminal cases	242
3	Family violence cases	795
4	Financial cases	43
5	Suo moto Cases	17
	Total	1751

Source: Jagratha Samithi Office, Pananchery, Thrissur

Jagratha Samithi has been received many of different and complex cases including criminal cases. More than five sittings are held to resolve cases. Marriage fraud, dowry related violence, intimate partner violence, drug abuse, property disputes, divorce, boundary issues, financial and money laundering, water dispute etc. have been registered to Jagratha Samithi. Out of 1751 registered to Pananchery Panchayat Jagratha Samithi only 107 cases were referred to the higher authorities for finding solution.

I) Continuity of Pananchery JS

JS for women have been in existence in Pananchery were more than fourteen years, since the establishment of these institution, number of cases of different kinds have been registered and disposed of by these institutions. To strengthen the linkage between the Panchayat, municipality and district, Jagratha Samithis support of empowerment, they should partner with the three-tier system, Kudumbashree units, NGOs and other organizational systems. The Pananchery Jagratha Samithi form a advisory group and monitoring committee consisting of three members nominated by the Panchayat JS to monitor the functioning of Ward level Jagratha Samithis. They also organized various awareness building activities addressing women issues and such campaigns were taken into schools and public places since its establishment from 2005 with a view to gather public participation in JS activities, capacity building programmes for Samithi members in order to understand gender roles, gender stereotypes, create awareness campaigns for public to understand rights of women, aims and objectives JS and so on.

Awareness Programmes Formulated by Pananchery JS

1. Gender Status Study (2005-06)
2. Awareness Campaign on Rights of Women (2006-07)
3. Periodic Adalaths (2007-08)
4. Awareness Building on Domestic Violence Act, 2005 (2008-09)
5. One day Seminar on Women and Legal Rights in all Panchayat (2009-10)
6. Meeting of Anganwadi Teachers and Workers (2009-10)
7. Mothers meeting around Anganwadi Centers (2009-10)
8. Kumari Sangamam (2009-10)
9. Training of Elected Representatives (2009-10)
10. Capacity Building Programme (2009-10)
11. Awareness Campaign on Alcoholism, Trafficking of Women, Dowry harassment, Domestic Violence, Sexual Harassment against women and children (2010-11). The activities of the Samithis show their survival and continuity.

II) Operational Efficiency

The efficiency of an institution can be judged on the basis of how it undertakes its activities are identified as operational efficiency. It is required for better functioning and implementation of rules. Further, the efficiency of any institution depends upon the cooperation and co-ordinated efforts of the staff members as the stipulated functions are implemented by them. At present the staff members in JS is 9, Municipal JS have

10, Corporation JS have 11, District JS have 11 and Ward Samithi have 8 in number. All the members of JS have some other responsibilities because they all are worked under the State Government service in the grass root levels. But it is these staff members who look after different tasks of the Samithi and due to the co-ordinated efforts of the personnel, these Samithis works efficiently, with the advice and assistance of legal cells and auxiliary committees in the respective levels of administration. Samithi members jointly work together to find solutions to the problems, solved lots of cases of violence against women through discussion, mediation and compromise, the Samithi can make use anyone from outside the Samithi for that.

III) Accessibility of the Samithi

Jagratha Samithis are formed and located at every grass root levels of administration so they are easily accessible to anyone when they need of them. In addition to this, JS complaint boxes have been placed in any places in order to resolve the problems quickly.

IV) Accountability of PJS

According to the 1997 Government Order, the JS has to prepare annual reports, stating full details of its activities of the previous year and submit to its immediate superior i.e. concerned Block Panchayat. Likewise, Ward JS submit annual reports to the Panchayat JS, Block send annual reports to District JS and the District JS to Women's Commission. The transparency JS towards public can be shown in different ways. Any person can be seeing the accounts, annual reports, publications any time with prior permission of the Samithi. However, the details of cases i.e. names of the accused and the complainant cannot be known unless it is published by the Samithi.

V) Resources

The 1997 Government Order lays down that the state Government shall, under appropriation made by the state legislature by law in this behalf, pay to the local self-governments by way of grant sum of money and in such a manner as the state government may think fit for being utilized for the purpose of this Government order. The order also lays down that the Samithis may spend such sum of money as if thinks fit for performing the functions under the GO [(MS) No: 39, 2004/SWD/ dated on 28/05/2004 and such sums of money shall be treated as expenditure payable out of the grant referred to in sub section (1).

JS are dependent on the respective Panchayat to meet their expenditure. In addition to the fund received from the Panchayat, they also receive funds from NGOs. The Self Employed Women's Association (SEWA) plays a major role in the proper functioning of Panchayati Raj JS by creating awareness campaigns, seminars, workshops etc. With the active intervention and support of SEWA, the Panchayati Raj JS could actively intervene the issues of women in their concerned Panchayat. Jagratha Samithi in Panchayati Raj functioned as family empowerment forum with a view to bring parents and children together in a 'Family Sangamam' after the peaceful settlement of their problem. They have share their views and opinion and successful stories about the life they had earlier and the life they lead together now. JS is a platform for parents to get knowledge whereby they are empowered to provide better care for their children. Despite these, the Samithis carried out awareness programmes on the rights of women and children and the importance of leading a successful family life. As part of follow-up for successfully settled complaints through enquiries over phone, letters and personal family visiting are also applied by the Samithi.

Conclusion

JS is to function as a grama nyayalaya in dealing with issues of women and children at grass root level. As a conflict resolution mechanism, JS focus on upholding the rights of women and children and to prevent atrocities against them rather than a semi-judicial mechanism issuing punishments. JS can persuade and assist the local self-government in resolving Samithi problems and creating a suitable environment for various women specific projects to be completed in future. JS should be approached every complaint with humane consideration and resolved should be resolved without delay. Simultaneously, JS initiates a grievance redressal program and create gender desks in schools, colleges and builds relationships with mutual respect and understanding among children. JS must keep all the complaints secret, ensuring justice for any complaint from a female party can be accepted and resolving issues without prejudice. From the results it is evident that the JS follows the Government of Kerala's guidelines in most of the Panchayat. All the respondents have acknowledged that the JS does have an essential role in preventing violence against women and children in their respective Panchayat. Implementing new strategies such as increasing awareness about the importance of gender equality from school level will enable the younger generation to understand the importance of equality, protection of women and girls from violence. Therefore, this research paper has found that the JS in a Panchayat plays a crucial role in combating violence against women.

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