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PAHARI SPEAKING PEOPLE OF THE UNION TERRITORY OF JAMMU AND KASHMIR SEEKING FOR SCHEDULED TRIBE STATUS: AN ANALYTICAL STUDY

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ABSTRACT

This paper is an attempt to assess the claims of the Pahari speaking people and to analyse the political commitments made by the different leaders for the reservation of this

his community. The Pahari speaking people of Jammu and Kashmir Union Territory are mainly concentrated in remote border areas and are put to considerable economic distress which is very discernible from their socio-economic backwardness and are lying at the bottom of the developmental ladder. To promote and safeguard the socio-economic interests of the Pahari community, a number of measures have been drafted by the state government over the period of time. Besides the ameliorative measures, Paharis have been seeking Scheduled tribe status for 30 years, since the grant of the same to Gujjars and Bakarwals in Jammu and Kashmir in 1991, leading to reservation in jobs and seats in educational institutions for them. In this paper the researcher has highlighted their living conditions, socio-economic scale, geography and backwardness and analysed that the Paharis are generally poor people who have remained deprived of their socio-political and economic rights for a long period and are in relative deprivation from the mainstream society

KEYWORDS : Pahari, Reservation, Backwardness, Deprivation, Jammu & Kashmir

INTRODUCTION

Jammu and Kashmir is a pluri-cultural, Pluri-lingual and pluri-religious state of India. In a sense, it represents sub-continental diversity. The state of Jammu and Kashmir is inhabited by different communities, some settled; quite a few are nomadic (Vaid 2019). The prominent ethnic groups of the state are Gujjars, Bakerwals, Dogras, Ladakhis, Kashmiris, and Paharis. The Pahari are the people from diverse races, castes and religion whose distinct cultural heritage, life style and mother tongue has ascribed them a composite cultural identity.

The Pahari Speaking are living in the areas of southern hills of pirpanchal particularly from western Banihal to Muzaffabad, Drawa and Nangaparbat adjoining areas. Their history can be traced from Tarikeh-e-Pahaad by Mohammad Ali, Rajgani- Rajwar by Mirza Zaffarullah, Aqwami Poonch by Munshi Mohammad Yaqob Khan and Tarikeh- Jabwal by Awatar Singh Chib (Maini, 2006). After partition, the Hindu and Sikh population Pahari population migrated from Pakistan administered Kashmir to this side of border. Their dwellings are mainly in Jammu, R.S pora, Sambal camp, Bakshinager, Rehari and in areas of Rajouri, poonch and Baramulla. Amongst Muslim Paharis, The Rajputs are in majority who classify themselves into different castes like the thakar, Kamlak in illakqa Badal, and the jaral Malik in thana Darhal, the jaral in Rajouri, Behroute, Manjakote and in Mendar, The Ferozal, Manhas, chib, Chadak, Thakyal, Domal in Uri, Khakey in Hatmal, The Bombay, Rajay in karma etc (Masoodi, 2000).

These people are mostly concentrated in hills and border areas of the state stretching from Badhel in Rajouri up to Keran and Teetwal in Kupwara, living in these remote distant areas have restricted their socio-economic mobility. The geographical –cum- topographical conditions coupled with border area made their life hard and miserable. Devoid of day to day normal facilities of education, healthcare, financial support and social upliftment, they are facing lot of miseries, hardships, aggression, tension, violence etc. prevalent on the borders from the last 70years. Being the peripheral areas, these are

continuously ignored in the developmental activities and other amenities as compared with other areas of the state. Tilling hilly lands and cattle rearing had been their main occupation. Border restrictions, day to day confrontation and mortar- shelling and lose of grazing areas further intensified their sufferings. The armed conflict from last 30years had a heavy toll on the life of these Paharis. However in 1975, Sheikh Mohammad Abdullah's government tried to infuse confidence among these Pahari speaking people by establishing a separate Pahari department in the state cultural academy. Literary works like Astha- adab, Sheeraza, Lokgeet and

Lok Kahaniya were started for publication. Furthermore, the broadcast in Pahari language started from Radio Kashmir Srinagar All india Radio Poonch, and Doordarshn Srinagar and Jammu started broadcasting programmes in Pahari languages, Pahari languages was also recognized in 6th schedule of the constitution of Jammu and Kashmir.

To promote and safeguard the educational and economic interests of these Pahari speaking people is the prime need of an hour so to protect them from alienation as the state of Jammu and Kashmir is already going through an armed conflict from last 30years which had a very heavy toll on the lives of the people and on the developmental scenario of the state. To do away their sufferings, the border regions were declared "Bad Pockets Areas" and the benefit of the schemes were equally shared by all the sections of the people in respect of reservation for recruitments, border allowances for the government employees, scholarships for the students etc. All the benefits were equally shared by all the sections of the people like Paharis, Gujjars, Bakerwals, Sheenas and Ladakhis, without any discrimination on the basis of name, caste or creed. To provide constitutional guarantee to these alleviative measures laid down by the state government, it was in 1989 that the Jammu and Kashmir government recommended to the central government following seven classes for the inclusion in the scheduled tribe list (The Jammu and Kashmir Scheduled Tribe Order 1989).

1. Pahari speaking
2. Gujjars Bakerwals
3. Argonne of leh
4. Sheena dard
5. Gaddi
6. Sippi
7. Balti

Struggle for Scheduled Tribe Status

The recommendations of the state government for scheduled tribe status for all these classes except Pahari Speaking People were considered in principle in 1991. The decision of scheduled tribe status to these communities was declared on the basis of their poor living condition, geographical odd remote location, ethnic, Cultural Identity. The Paharis complained that inspite of the common locations, almost same occupations, and lingual similarity. The Paharis have been left out from the purview of benefit reaped by other similar ethnic groups like Gujjars and Bakerwals. The Paharis allege that the misunderstood identity of the Paharis is itself very old as it is evident from the various historical accounts of Kashmir as Sir Walter Lawrence in his book Valley of Kashmir in chapter xii; he has identified Paharis as Guars by depicting the linguistic characteristics of Paharis as:

“They are semi nomadic tribe which grazes buffalos and goats along the Himalayas and shiwaliks. They have for some time past turned their attention to Kashmir where they rapidly make clearings of forests and built their flat, topped houses for themselves and their precious buffalos. The language known as Parimu or Hindkoh is wholly different from Kashmiri languages and they rarely intermix with the Kashmiris and when they take to cultivation they grow maize rather for buffalo than for themselves. They are ignorant inoffensive and simple people and in their relations with the state they are rather more honest than the Kashmiris”(Khan, S.A., 2011).

Parimu and Hindkoh are the languages spoken mainly by Paharis not by Gujjars as is stated above passage. Paharis are of the view that the scheduled tribe status was awarded to communities more or less on linguistic basis visa-a –Vis Balti, Dard, Sheena and Gojri,

but only Pahari people speaking people were left away. The parameters laid down for granting scheduled Tribe Status were also not fulfilled by other communities but still a political decision was incurred over them. Initially, the government of India was also not convinced about the merit of the Gujjars for scheduled tribe status: that is why they were not included in the original notification issued in 1989, but they were listed in the subsequent notification after reconsideration their demand by the registrar General of India who treated Gujjars and Bakerwals as a marginal case (Khan, S.A., 2011).

The Pahari speaking people complained that the Registrar General of India during his visit for assessing the claims of various classes for scheduled tribe status had misunderstood Paharis as Gujjars. This discrimination and injustice with Paharis is evident from the fact that the Registrar General of India even recommended ‘Prigas’ of Ladakh for tribal status on the grounds that these people have a distinct culture as they believe in spirits and keep animals. Remarkably, the Report of Registrar General of India was silent about the geographical isolation of Prigpas which historically is the only criteria to identify the Prigpas (Prig is the valley from Zaskar to Kargil) because Prigpas comprised of 53781 souls out of the total population of 77433 in Kargil district at the time of survey. Discrepancies in their identification by Registrar General of India led to controversies and writ petitions among the claimants of scheduled tribe under Prigpa category. Later on a classification was issued by the then deputy commissioner of scheduled caste/scheduled tribe government of India which clearly stated that the two communities ‘Chanpas and Prigpas’ actually denote the inhabitants of specific regions i.e., Chang valley and Prig valley respectively. Their inhabitants are either Buddhists or Muslims. The clarification by C.B. Tripathi reveals that Prigpas of Ladakh have been granted scheduled tribe status purely on the basis of Geographical locations rather than culture, belief and living habits. The point on which Registrar General of India recommended the scheduled tribe status on this community clearly shows that the recommendation of Registrar General of India were ambiguous (Khawaja, A. 2002). The Paharis claim that contrary to the Prigpas, the Paharis have more distinct culture, history and language and geographic isolation as they live along the line of control. So they too

should be treated in the same fashion as other ethnic groups who were considered for scheduled tribe status. Their continuous struggle under the banner of Pahari cultural welfare Forum with other organizations have pressurized the government to an extent that an Advisory board for the Development of Pahari Speaking People was established in

1989 with terms of reference as : (Vide Government order no: 1373-Gad of 2010)

1. To identify the specific schemes which will benefit Pahari speaking community under various developmental sectors, their prioritization and earmarking of funds?
2. Finalizing Annual Action plan and recommending allocations/ earmarking of funds including additional developmental schemes wherever necessary along with allocation of funds.
3. More emphasis on educational upliftment by way of establishment of Pahari boys/Girls hostels and grant of scholarships etc.
4. Formulation of Pahari Sub-plan on the pattern of tribal plan for filling up of critical infrastructural gaps including income generation activities by respective District Development Commissioners in consultation with state/District Pahari Advisory Board members.

Objectives of the study

1. To study and analyze the issues confronted to Reservation Policy of the Union

Territory of Jammu and Kashmir.

2. To study the Proposed Demand of Paharis for Scheduled tribe status.
3. To examine whether the Reservation has become a tool in the hands of Political class.

Methodology

The data base of present paper has been collected from the secondary sources available in different Government documents, books, Magazines, Journals. Besides this Descriptive and Analytical method has been adopted for the present paper. Apart from this some important and recent information has also been collected from the web browser.

Political Commitments of Pahari Movements

There had been a series of political commitments from 90s by the leadership from state government to central government. The demand of the Pahari speaking people for scheduled tribe status was fiercely advocated by the state cabinet and also endorsed by all the former governors particularly by the General L.V Krishna Rao as: (Order No;D.O.GS/Gov and G/13 dated 26December,1993) That the Pahari Speaking people of the state are mainly concentrated in remote border areas and are put to considerable economic distress, as is evident from their backwardness in reference to Socio-Economic Indices, despite sharing the same kind of disadvantages as faced by the Gujjars and Bakerwals, have been caught in the unfortunate middle(Trishanku Swargl). It is imperative that the Pahari speaking people are also brought into the mainstream of the developmental process, by providing them the same benefits in terms of scheduling as tribes on priority basis for reasons of equity and ensuring equitable development.”

Dr. Farooq Abdullah, the then chief minister of Jammu and Kashmir State, had categorically announced in the state legislative assembly session on 5th April, 2002, that Pahari people of the state will be declared scheduled tribe status before the assembly elections of that year:

“Special emphasis will be paid on promotion of backward communities including Gujjars and Bakerwals, Gaddis, scheduled castes and scheduled tribes. The government will strive for the extension of scheduled tribe status to the Pahari tribals of the state. (Kashmir Times, 2002)

In a move to win hearts of people, the state cabinet for the first time recommended to central government to consider scheduled tribe status for the Paharis on 10th January 2004 (Kashmir Times, 2004). The then chief minister, Mufti Mohammad Sayeed while addressing Gujjars Bakerwals one day convention at Jammu on 29th march 2004 defended his government's decision on february 9th, 2004 regarding recommendation for granting schedule tribe status to Pahari people (Daily Excelsior, 2004)

"I do admit that scheduled Tribe Status was not given to Gujjars and Bakerwals in time but you should not react to the recommendation regarding same status for Pahari

Tribals." He advised "we are not snatching your rights, all Pahari are not rich and

majority of them too deserve same benefit."

The Political leadership of the country has strongly advocated the demand of the Pahari speaking people for the scheduled tribe status even a resolution was passed in the Legislative Assembly of Jammu and Kashmir."

"Resolution passed by the Jammu and Kashmir state Legislative Assembly on 30th of

September 2005(moved by Mr. Muzafar Hussain Beigh law and parliamentary Affair minister), " This house requests the central Government to declare Pahari Speaking people of the Jammu and Kashmir state as a scheduled tribe".

In simple terms, it can be said that since 1989, all the ruling government at the center have accepted the demands of Pahari speaking people and assured to grant schedule tribe status to them. Likewise ruling parties in the state during their tenures have also accepted and recommended this demand and promised its fulfillment at the earliest. Realizing the gravity of the demand, it was included in the common minimum Programme of the united progressive alliance government and it also find space in the election manifesto of National Conference in 1996 and that of Indian National congress in 2002. BJP leadership has also agreed to settle the issue as it was strongly advocated by the former minister Mr. Atal Behari Vajpayee on his visit to karnah and the case was also recommended by the state BJP leadership to the central for approval. The Recommendation of the social welfare Department to the Registrar General of India, the state assembly resolution of 2004 and the Decision of the High Court of Jammu and Kashmir Substantiated the demand. Former chief minister, Ghulam Nabi Azad has also pleaded this demand before five Round table conferences and has made announcements in many public functions at poonch, Rajouri, Karnah, Uri, convention complex Srinagar and Abhinav theatre Jammu, and time and again assured that this demand will be accepted (Greater Kashmir 21, July 2006)

The state government have almost acknowledged the entity of Pahari tribe and extended them rights in sponsored schemes. For instance, both the Gujjars Bakerwals and Paharis have separately Advisory Boards; Pahari language is introduced in the 6th schedule of the constitution of the state; Scholarship from primary to university level are extended to

Pahari students. Free hostels have come up almost in all the districts of the state to provide free accommodation to the Pahari students, a Pahari wing has come into being in the state cultural Academy, radio and TV programs in Pahari language do have their due time for broad casting so to promote their Language and culture. (Khan, S, A. 2008,

p.12) The separate Pahari sub –tribal plan for Pahari speaking people has been created in the budget of the state. The above mentioned developments at the central level and at the state level fairly strengthen the fact that the demand has been a continuous struggle and on the other hand it has been delaying political tactics by political leaders as is evident from their hallow commitment assurances and promises.

CONCLUSION

The Pahari speaking people are undoubtedly socio-economically and educationally backward like other ethnic groups and therefore, deserve immediate safeguard and protection. The border areas of Jammu and Kashmir State along with valley are badly affected on account of political disturbances and continuous clashes across the border. The state is declared as disturbed area, such a horrific situation does not exist in any other state of India. Therefore the only vulnerable marginalized groups of the state are more prone to the victimization from the state machinery as well as by the extremist forces operating in the state. So there is an immediate need of the comprehensive measures to enable the security for these marginalized communities. However the government of Jammu and Kashmir has appointed a number of commissions and committees to sort out the issues of reservation scheme but yet the reservation policy is being amended day in and day out in their own suitable way. Somewhere the reservation is being demanded on caste basis, which is antithetical to the state of Jammu and Kashmir. As it is a Muslim majority state. Islam believes in an egalitarian society which does not recognize the caste system, but still the caste based reservation policy continues to exist, which does not differentiate between the millionaires and poor of the same caste. The defective pattern of reservation resulted in a race in which every section and group is demanding reservation which is supported by the political parties for their vote bank politics. The agitations for demand of reservation are noticeable from every nook and corner of the country. The

only solution for this situation lies in the capabilities of the government to alleviate the socio-economic profile of the backward communities. Reservation has failed to change the lives of these dumb millions who are still leaning at the ground, because prior to take benefit of the reservation scheme, we must be somehow literate enough to be eligible for government employment. Giving the scheduled Tribe Status particularly to Paharis would further aggravate the situation. It also runs the risk of opening a Pandora's Box of similar demands from other ethnic groups. It is interesting to mention if reservation alone would have been an Allahdins lighting lamp then they are already the stakeholders among the reserved categories like; 20% resident of backward Area (RBA) category and 3% Actual line of control (ALC) category. The reservation policy needs a fresh review in the light of the burning issues, ranging from ethnic, regional, linguistic, communal, social and Political.

Plan

Struggle for Scheduled Tribe Status

Objectives of the study**Methodology****Political Commitments of Pahari Movements****ref_str**

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