

Examining Ethnicity Conflict Among Gujjar-Bakarwal Tribes and Pahari Speaking People in Jammu and Kashmir

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Abstract:

The Contemporary Political and Social clash between Gujjar-Bakarwal and Pahari Speaking peoples perhaps one of the most serious challenges to internal peace at micro level and is difficult to handle at large. The Focus of the study is on the recent G.D Sharma Commission report and observations that has proposed granting Scheduled Tribe status to Various Communities namely Pahari, Paddari, Koli and Gadda Brahmin. Gujjar-Bakarwal nomadic community have already scheduled tribe reservation, after the recommendations of G.D Sharma commission, Gujjar Bakarwal started revolting against identifying Paharis as an ethnic group as opposed to a linguistic group because Paharis are already enjoying four percent reservation on the basis of linguistic group (Pahari Speaking People). Gujjar-Bakarwal had already been the victim of social stigma for ages and in such circumstances with the inclusion of Pahari Upper clan in ST would clearly lead to a long term conflict and imbalance between both the communities. Furthermore, if non tribal communities of upper castes for example Jattas, Mirza, Rajputs, Sayeed and Brahmins from Rajouri and Poonch are given STs Status, how will the government prevent a similar demand from others sections like Khan, Gupta and Sharma, a business class living in the plains of Jammu and Chenab Valley? This research paper is to examine the ethnicity conflict based on inclusion of upper caste(Non Tribal) in STs and its impact on real tribal groups; Gujjar, Bakarwal, Gaddi, Sippi, Bot and Dard Sheen.

Keywords: Gujjar-Bakarwal, Pahari, Ethnicity and Scheduled Tribe.

Concept Clarification:

The four concepts which have been used in the present study are Ethnicity, Gujjar-Bakarwal, Pahari and Scheduled Tribe. Before presenting the details of the present study, it is pertinent to clarify the mentioned terms as clearly as possible.

Ethnicity: An Ethnic group or Ethnicity is a category of people, who identity with each other based on common religion, social, cultural, ancestral, rituals, dressing style art and Physical Appearance.

Gujjar- Bakarwal: The Gujjar and their sub group, the Bakarwal, both are semi-nomadic and nomadic pastoral tribes'. The Gujjar can be divided in two principal groups on the basis of their mode of existence and occupational pattern. The first groups' are cultivator or sedentary or settled gujjars who now cultivate land as their primary occupation and rear live in the foothills, and far-flung areas. The

second category is further sub-divided into Baniharas or Dudhi Gujjars (milkmen), and the Bakerwals (who rear sheep and goats). Baniharas or the Dudhi- Gujjars tend Buffaloes, sell milk and milk products and for this reason they are known as Dudhi (milkmen). They live in Bans (forest). Bakerwals keep herds of goats owing to which they are called as Bakerwals.

Paharis:

The Paharis are comprised of castes, creeds, sects and religions. They are Hindus, Muslims and Sikhs and are bounded to each other only through their language, Pahari. While social, cultural, rituals, lifestyle, dressing patterns and religious practice of these pahari communities is totally different from each other. Pahari community are concentrated in Rajouri and Poonch districts of Jammu province and some parts of Baramula, Kupwara, Bandipura, and Badgam districts of Kashmir province where these communities are predominant.

The Scheduled Tribes (ST)

The Scheduled Tribes of India have lived in varied degrees of isolation for many centuries. The term 'tribe' here means a group of people that have lived at a particular place from time immemorial. Anthropologically the tribe is a system of social organization which includes several local groups-villages, districts on lineage and normally includes a common territory, a common language and a common culture, a common name, political system, simple economy, religion and belief, primitive law and own education system. According to the definition given by constitution of Indian, the Scheduled Tribes or tribal communities who have been so declared by the constitution and Article 366 (25) defines Scheduled Tribes as 'such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 to the Scheduled Tribes (ST) for the purposes of this Constitution'. In Article 342, the procedures followed for specification of a Scheduled Tribes are prescribed. According to lokur committee contain the following criterion for the specification of any community as scheduled tribe.

- a) **Geographical Isolation** – they live in cloistered, exclusive, remote and inhospitable areas such as hills and forests.
- b) **Backwardness** – their livelihood is based on primitive agriculture, a low value closed economy with a low level of technology that leads to their poverty. They have low levels of literacy and health.
- c) **Distinctive culture, language and religion** – communities have developed their own distinctive culture, language and religion.
- d) **Shyness of contact** – they have a marginal degree of contact with other cultures and people.

Background of the Study: Gujjar and Bakarwal are third largest ethnic group in Jammu and Kashmir after Dogra and Kashmiri. Gujjar-Bakarwal faced social stigma because of their lifestyle, culture and other distinct practice. The Gujjar-Bakarwal are seen as "brutish, dirty and dim-wited" and the term '**Gujjar**' is a loaded and frequently used swear word. Historical records, oral and written, describe the injustice meted out to this marginalized community by the upper class Muslims ; Jattas, Mirza, Rajputs etc mostly during the rule of Jarals, who identified themselves as Muslim Rajputs, from the 12th century to 19th century in Rajouri and adjoining areas. Due to the social exclusion and Nomadism they were notified Scheduled Tribe in 1991 after a long struggle of around four decades. Majority of their population is concentrated in Pir Panjal region but they are spread across the Jammu and Kashmir.

Gujjar and Bakarwal are nomadic and keep moving from one place to another in search of fodder for their livestock. The Constitution of India provides for various measures and provisions to safeguard their interests. But, the tribal community of Jammu and Kashmir is an exception to such measures and provisions as the same constitution grants special status Article 370 to the State of Jammu and Kashmir, because of which the tribals of J&K are not entitled to the benefits granted to tribals of other states. This difference lies because this state has its own constitution and the laws of Centre do not apply directly to this state. After the abrogation of article 370 on 05 August 2019, political reservation and Forest Rights Act 2006 were extended to the Union Territory of Jammu and Kashmir. Out of total 90 Legislative Assembly seats, 09 seats are reserved for STs in the state of Jammu and Kashmir. In Rajouri and Poonch districts five out of eight seats are reserved for Scheduled Tribe, where both Gujjar-Bakarwal and Pahari are in good numbers. The delimitation commission report has not gone down well with politicians of upper caste communities because they cannot contest election on these reserved seats for STs. They started politicizing the whole issue. The Bharatiya Janta Party cashed in on the growing tension between the two communities and started making promise to include Pahari community in the ST list. Gujjar Bakarwal states, that the people who were responsible for historical injustices against marginalized community are demanding ST status today. They ask how oppressor and oppressed can sail in the same boat. Paharis are neither backward nor poor and have no traits that would qualify them to be notified as tribe. It will be historic blunder if the Paharis are granted the ST status as it will defeat the purpose of reservation envisaged in the constitution by the framers of that great document.

Scheduled Tribes of Jammu and Kashmir:

In Jammu & Kashmir and Ladakh there are twelve scheduled Tribes: Balti, Beda, Bot, Brookpa, Changpa, Garra, Mon, Purigpa, Dard, Sheen, 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. After the Abrogation of Article 370 Jammu and Kashmir State Bifurcated into two Union Territory of Jammu and Kashmir and Ladakh recognized separate Union Territory. In Union Territory of Jammu and Kashmir there are now six scheduled Tribe communities, these are Gujjar, Bakarwal, Gaddi and Sippi, Bot, and Dard Sheen. According to the census of 2011, there is about 1493299 Scheduled Tribe populations 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.

Research Methodology

The present study makes an attempt to examine ethnicity conflict among tribal and non tribal upper castes. It is primarily a fact finding study based on the explorative method. The study is based on both primary and secondary sources. A primary source includes government records, reports, and interviews. Secondary sources of data which includes books, journals, articles, daily newspapers, assembly debates, periodicals, Manuals. Hence this study is based on the historical, descriptive, and analytical approach.

Objectives of the Study.

The first and foremost objective of the study is to examine the non tribal inclusion in Scheduled Tribe List and its long term impact on the social, economic and educational aspects of the real tribes.

Inclusion of Non Tribals in Scheduled Tribe – Emerging Changes and its Impact on Real Nomadic Tribe.

The Indian constitution ensures certain protection for communities as having Scheduled Tribe (STs) status. But if any non tribal upper cast will get to enjoy the same status, the basic idea of reservation will be completely abolished. To have ST status means to enjoy highly desired tangible benefits such as reserved seats in schools, government jobs and political reservation as well. With the Inclusion of Upper cast (Elite Class) in the same category means depriving the real tribes from their very basic fundamental right as mentioned in the Constitution of India. These upper castes are highly educated while the literacy rate of Gujjar-Bakarwal is very low and hence it is nearly impossible for these real nomadic tribes to compete this Upper Section of the society to get jobs, education and any other benefits as provided by the constitution of India for their upliftment.

Gujjar- Bakarwal, Gaddi, Sippi Tribes Reaction on Inclusion of Upper Class Pahari Speaking People.

Tribal Bachao March.

Several non-political organizations representing tribal Gujjar Bakarwal communities in Jammu and Kashmir including Gujjar- Bakarwal Youth welfare Conference, All Tribal Coordination Committee, Gujjar- Bakarwal Student Union, Gujjar Bakarwal conference Jammu Kashmir and tribal social activists formed “**Gujjar-Bakarwal Joint Action Committee**” under the Presidentship of Haji Mohd Yousaf on 30th October 2022. Gujjar-Bakarwal Joint Action Committee Launched a foot march, by the name “**Tribal Bachao March**” from district Kupwara on 04th of November to district Kathua to save the status of Nomadic Gujjar-Bakarwal in Jammu and Kashmir. Talib Hussain, a Tribal Social Activist and Chief spokesperson of Gujjar-Bakarwal Joint Action Committee put off his shoes as sign of protest against proposed dilution of Scheduled Tribe by including elite class into STs. Large number of tribal people of Kashmir province and Pir-Panjal came on roads and joined this foot March. Tribal Bachao March Put- forth three demands.

1. No ST to Upper Castes.
2. Reconstitution of Jammu and Kashmir Backward Commission.
3. Proper Implementation of Forest Rights Act and authentic Survey of Tribals in winters.

G.D Sharma Commission Roll Back: Government of Jammu and Kashmir set up a commission in March 2020 named as “Jammu and Kashmir Socially and Educationally Backward Classes Commission” headed by Justice (retired) G.D Sharma along with two members of the commission, Lal Baharti, former Indian Foreign service officer and Manir Ahmed Khan, serving Indian Police service. To examine the social and educational backwardness of various backward classes people, in the union territory of the Jammu and Kashmir. G.D Sharma commission vide its supplementary report dated 23.05.2022 amongst various recommendations, has proposed the grant of Scheduled Tribe status to Various Communities namely Pahari, Paddari, Koli and Gadda Brahmin. Gujjar- Bakarwal nomadic community have already scheduled tribe reservation, after the recommendations of G.D Sharma

commission Gujjar Bakarwal started revolting against identifying Paharis as an ethnic group as opposed to a linguistic group because Paharis are already enjoying four percent reservation on the basis of linguistic group (Pahari Speaking People). Gujjar- Bakarwal showed resentment against G.D Sharma commission which proposed ST status to Pahari, Koli, Gadda Brahmins and Paddari. Gujjar Bakarwal people say how Brahmins, Rajputs and Muslim Upper castes, who held the highest offices and controlled economic activities in Rajouri and Poonch, who till yesterday claimed to be landlords, tax collectors, and rulers and proudly identified themselves as Rajputs and used titles like sardars and raja are now claiming to be socially isolated and marginalized. Owing to this aspect of the Pahari Community, the Schedule tribes revolted against giving the special status to upper caste or elite class people. Even today, Gujjar is used as a slur by the upper castes. Gujjar- Bakarwal who reside mostly on mountainous terrain and jungles in far-flung rural areas where basic amenities like electricity, public health centre and schools are still a distant dream. Gujjar- Bakarwal Joint Action committee alleged that G.D Sharma commission is a biased and political motivated commission. Tribal people are now on roads to roll back G.D Sharma commission report and reconstitute “Jammu and Kashmir Socially and Educationally Backward Classes Commission”.

Gaddi- Sippi Tribe Reaction against the dilution of STs Status:

Gaddi- Sippi Student Union also protested against dilution of STs Status in Jammu and Kashmir demanding no such attempt should be made at the highest Level to dilute the existing ST status/reservation.

Joint Action Committee’s Dialogue with Central Government:

The foot march was started by Joint Action Commission from district Kupwara on 04 November, on reaching in Rajouri at Kalakote after 18 days, was withheld by the government and was offered a table talk. The committee on accepting the dialogue offer met with the Home Minister, Shri Amit Shah at Delhi under the chairmanship of Haji Mohammed Yousuf. Gujjar-Bakarwal Jiont Action Committee appraised Home Minster about their demands that upper castes should not be given scheduled tribe status and biased report of G.D Sharma should be rolled back and a new commission be constituted to deliver justice to all the sections of the society. Home Minister Amit Shah assured the agitating Gujjar Bakarwal Joint Action Committee that the existing 10 percent reservation to the Gujjar, Bakarwal Gaddi, Sippi and other tribe will remain intact and the Paharis as scheduled tribe would be accommodated in a separate block after passing a bill from the parliament. He assured that all due rights and benefits of Gujjar- Bakarwal will be protected. Release of funds, admissions, jobs, and political reservation will remain safe and intact. Joint Action Committee called off the Tribal Bachao March after meeting with Home Minister.

Conclusion:

The social and political clash between Gujjar and Pahari started when Union Home Minister Amit Shah on his visit to Jammu and Kashmir on 03 October, promised reservation to Paharis and assured Gujjar-Bakarwal that not even 1% from their quota will be reduced. In response to the government plans to give ST status to Paharis , tribal communities in Jammu and Kashmir started “Tribal Bachao March” from Kupwara Srinagar to Kathua Lakhampur under the banner of “Joint Action Committee” headed by Haji Mohammed Yousuf. Gujjar-Bakarwal people showed resentment against the decision of the government

and stated, if Paharis are given ST status, it will come out as historical blunder and the basic idea of reservation will be totally abolished. Pahari Speaking people who till yesterday were landlords, tax collectors, and rulers and who proudly identified themselves as Rajputs and used titles like sardars and Raja are now claiming to be socially isolated and marginalized. Even today, Gujjar is used as a slur by the upper castes. Gujjar- Bakarwal who reside mostly on mountains terrains and jungles in far-flung rural areas where basic amenities like electricity, public health centre and schools are still a distant dream. Gujjar Bakarwal revolt against identifying Paharis as an ethnic group as opposed to a linguistic group because Paharis are already enjoying four percent reservation on the basis of linguistic group (Pahari Speaking People). Gujjar- Bakarwal showed resentment against G.D Sharma commission which proposes special status (ST) to Pahari, Koli, Gadda Brahmins and Paddari.

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