

Pahari Ethnicity and Politics of Reservation in Jammu and Kashmir

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Abstract

The Pahari-speaking people of Jammu and Kashmir live a very distinct and hard life pattern in the border belt of Jammu and Kashmir. The focus of this paper is an attempt to highlight the melting issue of reservation to the Paharis of J&K. A brief background of the Pahari language and their territorial aspect has been also discussed in the study. Their long pending demand for Schedule Tribe status and other developments related to the reservation has been described extensively. Further recent trend related to reservation for the Pahari-speaking people of Jammu and Kashmir has been also mentioned followed by conclusion and suggestions.

Keywords: Paharis, reservation, Jammu and Kashmir, language, marginality

Reservation (Affirmative action)

Reservation policies are based on consciously planned preferences, which may be based on ascribed criteria such as ethnicity, gender, and even geographic location. They are used to compensate for persistent discrimination or inequality in the social or geographic system. Reservation is a mechanism of socioeconomic mobility, an act of deliberately designed social engineering. Such preferential policies are practised in a few countries, both developed and developing. The United States calls it the policy of positive or affirmative action. In Malaysia, it is known as *Bhumiputra* preference. India calls it the policy of reservation. The reservation system in India derives its rationality from the prevailing caste system, the most pervasive social institution in India with its impact on all walks of life.

Now as far as the Reservation policy of J&K is concerned it is very much haphazard and confusing which is briefed in this paper also. In this paper, an attempt has been made to analyse the reservation issue concerning the Pahari community of Jammu and Kashmir.

Paharis of Jammu and Kashmir

The Pahari people of Jammu and Kashmir are one of the various groups of ethnic Indo-Aryan people who have historically inhabited a defined mountainous range. Although my study is limited to the reservation issue of the Paharis of Jammu and Kashmir as a group of people distinct from various other social and ethnic groups living in the state, it is still appropriate to understand the term Paharis to properly classify them as a much larger canvas, consistent with its historically common usage, which defines a vast mass of diverse people living in various mountain regions of India, Nepal and Pakistan.

In this endeavour, it will also be appropriate to refer to the lexical meanings of the term Pahari.

Meaning of Paharis

According to Dictionary.com, the expression Pahari means:

1. one of several hill peoples inhabiting the area in India SW of the Ganges River.
2. a member of these people.
3. a group of Indic languages or dialects spoken by the Pahari.”

The American Heritage Dictionary defines the word Pahari to mean,

1. A member of any of various, mostly Hindu peoples of Nepal and the Himalayan foothills of India.
2. The group of Indo-Aryan languages spoken by these peoples, including Nepali.”

Wikipedia, a reliable online storehouse of information and knowledge defines Pahari thus, “The Pahari people (Pahārī; पहाड़ी), also called Pahadi, are Indo-Aryan ethnic groups of the Himalayas living in Nepal, India and Pakistan. The name Pahari derives from pahar (पहाड़), meaning "hill", referring to the Himalayan Hill Region in India, Nepal and Pakistan which the Pahari inhabit.

How the Paharis differ from other tribes of Jammu and Kashmir

The Paharis of Jammu and Kashmir are exceptional as a tribe in the Indian subcontinent. The identity of PSP is mainly based on their language (Vernacular), that is *western Pahari*, or Pahri is also a heterogenous on class caste lines "*Pahaad*". It is the only secular tribe with a significant intersectionality in the state of Jammu and Kashmir. Unlike Shina, Gujjar, Dogra and Kashmiri they are very different in terms of cultural ethos and religious affiliation. The Paharis of J & K are engulfed in the social structure of a combination of class, caste, religion and region. The J & K Pahari tribal community is a socio-cultural and linguistic minority which is also the socio-economically and educationally backward community in the Union Territory of Jammu and Kashmir. What makes them unique from the rest of the Jammu and Kashmir community is that the Paharis are known for their patriotism. According to the 2011 census, J & K Paharis has a total population of approximately 0.96 million (Vaid, 2014). This constitutes nearly eight per cent of the total population of J&K.



The inhabitants of Jammu and Kashmir are depicted in the above graphic

The Natives of the erstwhile Province of Jammu and Kashmir including Pahari (Pothohar).

Language

Linguistically, the Pahari are classified into three groups of people who live in the eastern, central and western parts of the Pahari territory, which includes the foothills of the Himalayas and North-Western Pir Panchal [1]. The eastern group includes parts of people living in Nepal and West Bengal, and the central group includes the Kumaon and Garhwal regions of Uttarakhand and western Himachal Pradesh, Jammu and Kashmir and parts of North-Eastern Punjab in Pakistan. The Pahari language was also recognized in Schedule 6th of the Constitution of Jammu and Kashmir but disappeared after the revocation of Article 370 in 2019. Paharis has been many times confused when it comes to their identity even authors like Walter Lawrence made this mistake. Sir Walter Lawrence in his book *Valley of Kashmir* Chapter XII defined Paharis as Gujjars depicting the linguistic characteristics of Paharis.

Territory

Various surveys conducted in the country between 1901 and 1941 describe the Paharis as a social and linguistic group that settled primarily in the western foothills of the Pir Panchal Range and descended into the *Pothohar Plateau*. They are also found in large proportion in the foothills of the Shamsbari Mountains in northern Kashmir, adjacent to Kishan Ganga. In Jammu and Kashmir, they live mainly in the Rajouri and Poonch districts of Jammu and Uri, Boniyar, Keran and Karna areas of Kashmir Division. In addition, the fragmented Pahari population also lives in several villages, clusters and settlements spread across the hills surrounding the Kashmir Valley. This lot owes its origins to the various clans and subgroups that lived primarily on the Pahari mainland.

Table 1

District/ Tehsils	% age of Pahari Population
Poonch & Rajouri	71%
Karnah, Uri, Boniyar, Keran	19%
Fragmented belts of Kashmir and Jammu	10%

Census 2011

However, they can be distinguished and identifiable as members of the broader ethnic group known as the Paharis. This group is made up of numerous clans and subgroups that share a common psychological makeup and who also share a common language known as Pahari. In a nutshell, Paharis are a "community of communities" unlike s Kashmiris, Dogras, Punjabis, and numerous other groups. It's unfortunate to see how frequently the majority of Kashmiri speakers are unable to distinguish between Paharis and Gujjars. In a nutshell, Paharis are a "community of communities" that also



comprises Kashmiris, Dogras, Punjabis, and numerous other groups. It's fascinating to see how frequently the majority of Kashmiri speakers can't tell Paharis from Gujjars. It may be due to discrimination based on race, ethnicity, or culture because of their non-Kashmiri identification; or, it might be due to other factors like their shared residence in Kandi areas, the non-Kashmiri languages they speak, and the bizarre cultures they adhere to. Both are referred to as "Gojar" without consideration of their unique characteristics or differences among themselves. The use of the term "Gojar" contains an inherent element of contempt and scorn and, as a result, a social stigma, which, of course, is not to the liking of either group. Due to their inability to differentiate between Gujjar and Paharis, Jammu's Dogras are not immune to this syndrome. The Paharis' hardships have been made even worse by border limitations, daily skirmishes, mortar shelling, and the loss of grazing areas. These Paharis' lives were severely affected and had a heavy toll by the 30 years of armed war.

The arrow in the map depicting the districts which constitute a high proportion of Pahari Community J&K

What is the process of inclusion in the Schedule Tribe list in India?

- The recommendation from the relevant State governments, which is then sent to the Tribal Affairs Ministry, which reviews and sends them to the Registrar

General of India for approval, is the first step in the process of including tribes in the ST list.

- The NCST then approves the list, and then the list is sent to the Cabinet for a final decision.
 - The final decision rests with the bold **President's office** issuing a notification specifying the changes under the powers granted to it by Articles 342.
 - The inclusion of any community in the Scheduled Tribes comes into effect only after the President assents to a Bill that amends **the Constitution (Scheduled Tribes) Order, 1950**, as is appropriate, after it is passed by both the Lok Sabha and Rajya Sabha.

Paharis and politics of reservation with them

Despite the overwhelming presence of Pahari speakers in the States mentioned above, it is only the Paharis of J&K who have demanded ST status. Such a demand was put forth by Paharis to fight the fear of relative deprivation concerning Gujjars in J&K (Puri, 2001). The Pahari-speaking people are also socioeconomically and educationally backward and are lying at the bottom of the developmental ladder.

The Pahari community is comprised of Hindu Muslims, and Sikhs, having composite cultures who have been struggling with their long pending demands, since 1989, when the state cabinet 1st time' recommended their case and sent centre for granting them S.T. Status. However, the scheduling of fellow community Gujjars as Scheduled Tribe has required the Paharis to consolidate all of its dialectal groups for the same. This has somehow made Paharis visible again on a pan-J&K level. The Pahari-speaking people have vehemently propounded the demand for scheduled tribe status as granted to other ethnic groups in 1991. The demand of the Pahari-speaking people for scheduled tribe status was greatly endorsed by the ruling political parties of the state. However, these Paharis-speaking people being a linguistic group from different religions were found not eligible for inclusion in the scheduled tribe list. To provide a constitutional guarantee to tribes of J&K alleviative measures laid down by the state government, it was in 1989 that the Jammu and Kashmir government recommended to the central government the following seven classes for inclusion in the Scheduled Tribe list:

1. Pahari speaking
2. Gujjar Bakerwal

3. Argone of Leh
4. Sheena Dard
5. Gaddi
6. Sippi
7. Balti

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 for these communities was declared based on their poor living condition, geographically odd remote locations, and ethnic and cultural identity. The Paharis complained that inspired by the same, qualifying the same criteria and basis of reservation the Paharis have been left out from the purview of benefits reaped by other similar ethnic groups like Gujjars and Bakerwals. Paharis are also demanding ST through various Forume and movements like J&K Pahari People's Movement, Chenab Pahari Reservation Movement Pahari Welfare Forume etc.

The Pahari-speaking people complained that the Registrar General of India during his visit to assess the claims of various classes for Scheduled Tribe status had misunderstood Paharis as Gujjars. The Paharis claim that, contrary to the Prigpas (a community who were given ST on geographical isolation rather than culture distinctiveness) the Paharis have more distinct culture, history 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.

After 1990 Pahari's are struggling for their ST status, but they are still under the dilemma of whether central govt grant them ST status or not. It is a very interesting fact that the *politics of reservation* with Paharis continuously put the life of Paharis in shackles and dilemma. Their original and genuine demand was never met instead of that a sort of other ingenuine and rational steps has been taken by the govt in the context of reservation for Pahari's through other reservation categories like being included in Residential Backward area (RBA) category, Some patches of Pahari's include in Actual Line of Control (ALC). To do away with their sufferings, the border regions were declared 'Bad Pocket Areas' But both logically and practically all these steps of the govt failed in order to enhance the socio-economic condition of Paharis. Certain irregular measures have been taken to play with the Psyche of the Pahari community. The reservation policy of Jammu and Kashmir is ambiguous and haphazard as it gives double reservation to STs by also including them in ALC. Paharis are demanding full-fledged ST status at the national level, up to now whatever reservation has been given to Paharis

is not sufficient to make them compete at the national level. RBA, ALC etc all these reservation measure are state-level reservation which the Paharis argue are not their original right and demand and it is of not fulfil the cup of justice for them, it reflect a politics of reservation with them, which make their position worse without being S.T

Recent Trends

To extend the reservation benefits to Pahari-speaking People of Union Territory Jammu and Kashmir, Governor G C Murmu approved the amendment to the J&K Reservation Rules, 2005 after constituting a committee. The Jammu and Kashmir Reservation Act, 2004 now gives 4% reservation to Paharis of J&K after this amendment. In January 2020, Paharis were allocated 4% reservation in government jobs and educational institutions under the ‘Other Backward Castes’ category and the BJP also got Ravinder Raina, a Pahari, to head the party’s J&K unit with Vinodh Gupta, a Pahari, as his deputy. However, the majority of the Paharis, discontented with PSP reservation, continued with their demand for ST status.

Many people from the Gujjar-Bakarwal community have supported the PSP reservations. However, the disagreement begins with the demand for a 10% reservation under ST status by the Pahari community.

Reservation Percentage in J&K Before 2020

Reservation percentage in J&K in Jobs Quota and Professional Courses

Table 2

Category	Percentage
SC	8%
ST	10%
Social Castes	4%
ALC/IB	4%
RBA	10%
EWS	10%
Ex-Servicemen (Horizontal Reservation)	6%

Physically Challenged Persons (Horizontal Reservation)	4%
Reservation Percentage in J&K in 2020	
Category	Percentage
SC	8%
ST	10%
Social Castes	4%
ALC/IB	4%
RBA	10%
EWS	10%
Pahari Speaking People(PSP)	4%
Ex-Servicemen (Horizontal Reservation)	6%
Physically Challenged Persons (Horizontal Reservation)	4%



The above images demonstrate the Pahari tribe demanding ST status in Jammu and Kashmir (Image source Google)

BJP and the Politics of the Inclusion of J&K's Paharis in the Scheduled Tribes List (An Unfulfilled Promise)

During the visit of Home Minister Amit Shah on 4 October 2022 to the Union Territory of Jammu and Kashmir, announced that the Pahari community will get Scheduled Tribe

(ST) status soon. The announcement was made in his address at a public rally in Rajouri. He said that Justice GD Sharma Commission has recommended reservation for Paharis, Gujjars and Bakerwals and after completion of the administrative process, these communities will get reservation benefits.

The population of Paharis in the UT is estimated to be around 6 lakh, of whom 55 per cent are Hindus and the rest Muslim. But the Gujjar and Bakarwal communities — who have a 10 per cent ST quota already — have been resenting tribal status to Paharis, saying that Muslims and Hindus from privileged classes should not get quota based on language alone. The ST quota in Jammu and Kashmir carries 7 per cent spots in government jobs and educational institutions. Gujjars and Bakerwals have been getting ST benefits since April 1991.

The Paharis were given a 4 per cent quota in the OBC category from January 2020 after a delegation met Shah on December 25 of the previous year, requesting ST status for the community that has a population of around 12 lakh. The Indian government formed the Justice Sharma Commission in March 2020, but Gujjars and Bakerwals—the third largest ethnic group after Kashmiris and Dogras—were said to be unhappy with the move to grant ST quota to Paharis. BJP is no doubt making a very strong promise but the experience of history regarding the ST status of Paharis is depicting another story. No doubt it is an unfulfilled promise.

The Reservation Conundrum

Although the Gujjar-Bakkerwal tribes and Pahari community are born in the same social and cultural milieu, the former live a nomadic life, shuttling between Kashmir and Jammu regions with their livestock, while the latter are socially stratified, economically backward and culturally moored with caste and other ethnic divisions.

While the announcement of reservation for the ST candidates in the J&K assembly was seen by the Gujjars and Bakkerwals as a major step for their political empowerment, Paharis were not happy. With the support of Pahari-speaking refugees from Pakistan-Occupied Kashmir, they have managed to emerge as a strong force in the Pir Panjal region.

The Gujjars and Bakkerwals have set up a coordination committee which believes that the move to grant the ST category to the Paharis will jeopardise the rights and interests of the tribal people. “If Paharis are declared as STs, it will not only shrink

our reservation quota but it will also have disastrous consequences for the country,” Anwar Choudhary, convener of the Gujjar-Bakkerwal Coordination Committee, said.

According to independent estimates, there are between eight to 12 lakh Pahari-speaking people, and about 15 lakh Gujjars and Bakkerwals (Census, 2011) in Jammu and Kashmir, most of whom live in the Pir Panjal region’s Rajouri and Poonch districts. The two groups can influence the outcome of elections in 25 seats, according to Jammu-based editor and political analyst Zafar Chaudhary.

Conclusion

If we summarise the Paharis conundrum of reservation we find two aspects one is social and the second is political. Social Aspect can be seen when two communities Gujjar and Bakerwals oppose the inclusion of Paharis into the Schedule Tribe category they are politicising it. Why only Gujjars and not other ST communities are opposing the inclusion of Paharis in the ST list? Gujjars and Bakerwals oppose the Pahari reservation since they feel that their inclusion will deprive them of the reservation benefits since the community is much more literate and economically better off. This viewpoint of Gujjars and bakerwals basically has a biased basis because if we analyse the literacy rate of Paharis, it is far better than the reserved tribe but if we approach them through the lens of employment we find a dearth of job full youth among Paharis and it further prolongs their suffering in socio-economic field. The second aspect is related to politics in nature. The Pahari community is very much known for its loyal culture towards the nation, people of the Pahari community played a significant role in the national interest since 1947 still there a demand for ST or independent quota for reservation has been used as a tool for establishing vote bank by different parties, whether it is National Congress Or BJP. In 1989 central govt itself identified Paharis as eligible for ST there should be no politics if Paharis got their long pending demand. Recent Shah’s statement was seen as the BJP’s attempt to have long-term electoral benefits, which earlier tried to take the Gujjar-Bakarwal community in its favour. The BJP’s J&K unit President Ravinder Raina (a Pahari himself) promised that the party would grant ST reservation to the Pahari people. The present government’s move to give ST status to the Paharis has the single objective of drawing the Pahari community (mostly Muslims but with a sprinkling of Hindus and even Sikhs) towards the BJP. Here we can extract an explicit fact that BJP may intentionally or unintentionally try to unite the Pahari community J&K in general and Pir Panchal Region in particular.

A sort of Politics of divide and rule has been created by the political parties in general and BJP in particular, if Paharis are eligible for the ST status then they should be given at the earliest possible. The vacuum of tension should be minimized as soon as possible. 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 skirmishes across the border. The state is declared as a disturbed area, such a horrific situation does not exist in any other state of India. Therefore the already vulnerable marginalised groups of the state are more prone to victimization from the state machinery as well as by the extremist forces operating in the state. So there is an immediate need for comprehensive measures to enable the security of these marginalised communities.

Suggestions

- Reservation policy should be rationalized on geographical backwardness and ethnicity tracking basis in the context of the Pahari community which means only speaking the Pahari language should not be the basis for getting a reservation under the banner of Pahari category.
- Paharis identity should not be confused and amalgamated with other communities and should be respected as a distinct community through constitutional measures.
- There should be complete scrutiny for tracking the creamy layer within this community as this community is a community of communities, having diverse socio-economic backgrounds.
- Pahari community has been living with a distinct identity of a '*border lander*' since 1947, which deteriorated their social fabric and pushed their fortune against the backdrop, govt should keep this thing into consideration while including them under the ambit of reservation.
- There should be some sort of check and balance if the Paharis are included within the ambit of Schedule Tribe so that its advantage can be used for their genuine welfare and not to take away the rights of others.
- Pahari ethnicity, not language, should be a criterion for reservation and ST to the Pahari people of Jammu and Kashmir.

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