PREFACE

One of the striking features of Indian society is its division into different groups, known as castes with varying degrees of respectability and circles of social mingling. In India the literary records of Indo-Aryan culture contain the first mentioned continuous history of factors that make up the caste system. More often this hierarchical caste system took the turns of conflicts and clashes between lower castes and higher castes. Gradually, the world evoked to the need of moving towards a more egalitarian society. Policies of preferential treatment and compensatory justice were adopted to promote social justice. One of the aims of preferential treatment is to provide counter balancing benefits to those individuals who have been left out from the purview of equality in the past.

The framers of the Indian Constitution evolved a compensatory scheme and incorporated different provisions in the Constitution itself to offset centuries old inequalities entrenched in the Indian social fabric. Since the beginning, the reservations turned out to be illusory and counterproductive, and increasingly lead to caste wars, group clashes and communal conflicts.

Reservation has always remained subservient to politics. It has been used as a political gimmick/tactic by the ruling political parties to fulfill their vote bank on the name of reservation. The Jammu and Kashmir state has its own exclusive framework for all the policies, though for reservation policy of the state, same pattern has been followed. The criteria extends from caste basis and area basis to occupation basis. Now, the ongoing demand of the Pahari speaking people for Scheduled Tribe status, if considered, would open a Pandora box. It will add language as one more criteria for reservation. Since the inception of reservation scheme in the state, different commissions and committees have been appointed to plug the problems in the reservation policy. The sole aim and objective of the reservation was to alleviate the downtrodden groups and bring them at par with advanced groups but unfortunately, it had widened the gap. Creamy layer of the reserved categories took the lions share and rest downtrodden are still leaning on the ground. It seems that Jammu and Kashmir state took reverse turn on the path of development, more and more people are demanding concessions on the name of reservation.
Since the inception, the reservation has always remained a tool in the hands of political parties for creating their vote banks which has given rise to clashes between different sections of the society. Every passing day witnesses agitations, protests and hartals, which added impediment to the development of the state, which is already going through an armed conflict for last 30 years.

Amongst the contemporary internal conflicts in Jammu and Kashmir, the political and social clashes between the Gujjars and Paharis are perhaps one of the most serious challenges to internal peace at the micro level, and an emerging impediment to handling the Kashmir issue at large. The political parties provide selective patronage to one group against the other. These political parties are using the issue as shield for every upcoming election. Even the small petty decisions are being decided keeping in view the Gujjar-Pahari issue, whether it is to construct a road, dispensary, school or providing a mandate to contesting candidates for elections or even to appoint office bearers of different political parties at local level. So far none of the governments has shown seriousness in resolving this issue but in every upcoming election they play the Gujjar-Pahari cards for winning the maximum number of seats.

This conflict transcends all regional boundaries and religious divides within Jammu and Kashmir and beyond. Historical literature traces the roots of conflict between Gujjars and Paharis to several decades ago but the differences have sharpened following the inclusion of Gujjars into Scheduled Tribe category. This situation has worsened with a similar demand being made from numerous ethnic identities and castes from Muslim, Hindu and Sikh groups which congregate under an identity of a Pahari speaking community. There is now simmering tension between the Gujjars and Paharis who nurse huge contempt for each other. Now the well organized movements are going on in the state from both the communities and every ruling party is playing politics on the issue.

To prevent further escalation, it is hightime to provide better solution which is rational, objective and unbiased to realize the goal of establishing an egalitarian society. In this context suitable criteria for determination of backwardness should be made while extending concessions to these groups. It is submitted that caste should not be exclusively at all a criterion for granting reservation benefits. But it can be taken into consideration only when the entire caste is socially and economically
backward. Such criteria will reveal a society where there is no politics of reservation policy and establishment of a real socio-economic democracy.

Presently, the reservations has become a debatable issue in the state. Keeping in view the importance of the issue, the present study is an attempt to know the extent of politics related to reservation policy, specifically on the issue of Gujjars-Paharis tussle. It is the first of its kind in the state as not even a single study has been conducted on this topic. The study is guided by the following objectives:

- To study the profile of Gujjars and Paharis of Jammu and Kashmir state.
- To trace out the genesis of reservation policy of India
- To study and evaluate the reservation policy of Jammu and Kashmir state.
- To study and analyze the issues confronted to reservation policy of Jammu and Kashmir state.
- To examine, whether the reservation has become a tool in the hands of political class.
- To examine, whether the reservation to Gujjars was a genuine demand or a political grant.
- To study the tussle between Gujjars and Paharis on the issue of reservation.
- To carry out a comparative study of Gujjars and Paharis on SES scale.
- To find out the feasibility of the proposed reservation to Paharis.

In order to achieve the above mentioned objectives, the following research questions have been framed by the researcher:

- Whether the reservation policy of the state of Jammu and Kashmir is affirmative in nature or it is discriminatory in nature.
- Whether the reservation policy of the state of Jammu and Kashmir is responsible for the unrest and the regional tension.
- Whether the reservation policy has become the tool for vote bank in the hands of political class.
- Whether the criteria or grounds for inclusion of any caste in the list of reserved category is justifiable.
- Whether the demand of Paharis for Scheduled Tribe status is a legitimate demand.
The data base of present study has been collected with the help of primary sources like information/interview schedule and secondary source material available in the different government documents. The statistics have been drawn from different census reports published by Registrar General and Census Commissioner of India. A descriptive-analytical and comparative method has been adopted for the present study.

The research methodology employed in writing this thesis is no less tedious and painstaking. The study is based on the source material open for public perusal of various government documents, reports, books, surveys, journals, studies, magazines, newspapers and various acts. The amendments and the famous judgments of the Supreme Court have been consulted to make the study more informative and broad-based. Some important and recent information has also been collected from the internet.

To ensure socio-political harmony and finally to achieve the goal of an egalitarian, and socialist society, the need has come to take a fresh look on the policy of reservation. In this context the present work is an attempt to provide an in-depth insight related to the politics confronted to reservation policy of Jammu and Kashmir state. To obtain the aforesaid objectives the entire work has been divided into five chapters.

Chapter I titled “The Jammu and Kashmir State: An Overview” is an introductory chapter divided into two parts. First part is related to overview of the Jammu and Kashmir state wherein briefly the land, people and history has been discussed. The second part introduces the profile of the Gujjars and Paharis, generally, the historical background, social construction, culture and life style, settlement, economy and other important aspects have been mentioned.

In Chapter II titled “Genesis of Reservation Policy in India”, the national reservation policy has been discussed to find out the genesis of the reservation policy at the national level. Simultaneously the classification and identification of the disadvantaged groups like Scheduled Castes, Scheduled Tribes and Other Backward Classes has been studied. In the light of above, the Constituent Assembly Debates for the reservation policy have also been noted down.

Chapter III titled “Evolution of Reservation Policy of Jammu and Kashmir” reveals the evolution of reservation policy in Jammu and Kashmir state,
and important events related to reservation policy have been thoroughly studied. Furthermore, every single commission and committee appointed to sort out the loopholes of the reservation policy of Jammu and Kashmir has been critically discussed.

Chapter IV titled “Reservation Politics and Gujjar-Pahari Issue” highlights the reservation politics and the Gujjar-Pahari issue in the Jammu and Kashmir state. In this chapter, different issues related to reservation policy have also been taken up for discussion. The controversy between the Gujjars and Paharis has been minutely studied in detail along with perspectives from both the communities highlighting points of contention between them.

Chapter V titled “Comparison between Gujjars and Paharis on Socio-Economic Status Scale” exhibits the comparison of socio-economic status between the Gujjars and the Paharis on SES scale, studying different aspects related to socio-economic domain of both the communities.

At last the conclusion sums up the whole study. Suggestions have been mooted out for making the reservation policy really beneficial to deserving. Suggestions have also been put forth for measures to be taken to de-escalate the controversy between the Gujjars and Paharis in Jammu and Kashmir state.

None of the researches on any topic can be considered complete in itself, because every research work has its own limitations. It is impossible to cover every aspect of the problem in limited time with limited resources and other related limitations. Due to the these constraints, only one aspect of the politics of the reservation policy of the state of Jammu and Kashmir has been undertaken in the present study, other aspects of the politics confronted to reservation policy of the state may be investigated in future researches. I hope that the present work would make a substantial contribution in the relevant field.