

Political Representation of Gujjar Tribe of Jammu and Kashmir: An Analytical Study

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Abstract

Gujjars are the third largest ethnic community in the Union Territory of Jammu and Kashmir. They constitute approximately 7.8% of the total population in the Union Territory. They have been accorded Tribal status in 1991 under Article 342 of the Indian Constitution. Their political participation in the state politics is witnessing an increase from 5% to 10% in the 2014 assembly elections. However, female political representation remains a debatable issue. The current paper is an attempt to reflect upon the political representation of Gujjar Tribals in the state assembly of UT. The paper concludes with suggestions that will be helpful to give proportional representation and advance their participation in decision making.

Key Words: Ethnic, Tribal, Proportional Representation, Union Territory

INTRODUCTION

Gujjar is an ethnic agricultural and pastoral community that lives in India, Pakistan and Afghanistan. They have a unique language known as Gujjari. In different states of India, they have been categorized as “Other Backward Class” (Times of India 2017), while as in hilly states like Himachal Pradesh and Jammu and Kashmir they have been accorded Tribal status. It is believed that the Gujjar community in Jammu & Kashmir comes from the state of Gujarat. The 2011 census states that the 99.3% of Gujjar population are followers of Islam. The community has its presence in all the 22 districts of the state, however, major share lies in Jammu region. The Gujjar tribe is essentially a nomadic community permanently settled in colonies, taking to farming, businesses and joining government jobs on small scale. The culture of the community is distinct from the other communities. Inter marriages freely take place among them. They live in traditional types of houses popularly known as ‘Kothas’. However the dressing pattern of the community resembles with the Pashtu community of Pakistan (Naikoo 2018). They are generally tall and strong in their physical appearance. The ladies usually wear a long shirt and shalwar with a cap or dupatta on their head. Primarily they perform the subsistence farming. However, their commercial activities range from cattle rearing to selling of milk and cattle. Gujjars are the great followers of their culture and culture plays an important role in their day today life. Educationally and economically, they are lagging behind the other communities in the state. Their educational status is minimal and their employment rate is lower than other communities (Ahmad 2018).

The historical evidences show that Gujjar community was loyal towards the Maharaja of Jammu and Kashmir during the pre-independence era. Majority of the Gujjar leaders during the same time period took pro-Maharaja stand (Shahbaz 2015). However, after the independence, the community had dreamt of prosperous and bright future in India and they have made transitions from one political party to other. Earlier the political scenario of Gujjar dominated areas was dominated by

State political parties. But the contemporary era has witnessed the penetration of National political parties in the Gujjar dominated areas. They were of the view that the Constitution makers will be including certain special provisions for the socio-economic and political upliftment of the community. The introduction of free education system at various strata's of the state has paved the way for Gujjar community to get educated and involve themselves in political and administrative setup in the state.

The Gujjars and Bakerwals form a sizeable portion of population in the state. But, the State Assembly of Jammu and Kashmir has not made any bold attempt to reserve the seats for Gujjar Community in proportion to their population. According to (Shahbaz 2015), it is due to deliberate efforts of some dominant sections of society or due to ignorance of State Government that reservation in accordance with the Constitutional provisions is not been accorded to Gujjar community. Thus, there exists alienation among Gujjars in the state. Therefore, there was the emergence of various campaigns to highlight the demands and political reservation of the community. At the same time period, some political and social associations like: Tribal Research & Cultural Foundation (TRCF), Gujjar Desh Charitable Trust, United Front etc within the Gujjar community with the objective to bring them in the mainstream politics. However, these institutions have attributed their marginalized conditions to the following reasons:

- Lack of proportional and adequate representation in democratic institutions and decision making process.
- Lack of competent authority for effective policies and programmes implementation.
- Lack of platforms to channelize the grievances and problems related to Gujjar community.

The backwardness of Gujjars and Bakarwals of J&K was recognised by Government of India and accordingly granted them Scheduled Tribe status under Ordinance No 03 of 1991 under Article 342 of Constitution of India on April 19, 1991. So far, as their participation in the State politics and administrative setup is concerned under Scheduled Tribe status norms. But the state legislature of Jammu and Kashmir has not made an effort to give them reservation in state assembly. Thus it hampers their saying in decision making process in the state (Choudhary 2019).

LITERATURE REVIEW

Rahi, J. (2015) has analysed the results of Jammu and Kashmir state assembly elections in 2014. The researcher has found that out of total 87 constituencies, 21 constituencies have 35-50% of Gujjar population. However, it has been observed that, during the assembly elections no state party came up with an agenda which exclusively speaks about the welfare and prosperity of the Gujjar community. In the concluding observations, the author felt that the Gujjar vote bank can be consolidated in one forum in future thus increasing the credibility, grandeur and uprightness of Gujjar vote bank. **Rahi, J.** (2015) in another paper has analysed the role of Gujjar community in the state. According to the researcher, the community is the important vote bank in the state and it is very difficult for the political parties to ignore the community. They play an important role in political process and power formations in the state. **Shahbaz** (2015) using the comparative method has compared the Gujjar community's position in pre and post independence period in the state of Jammu and Kashmir. However, the author found that various associations like: Gujjar United Front, Tribal Research and Cultural Foundation, Gujjar Desh Charitable trust etc were brought in to fulfil the demands of the community and help them to be active participants of the state politics. **Din, A. & Nigam, J.** (2016) have observed that after gaining independence from Britain, the Gujjar community emerged as a significant political force in the Jammu and Kashmir state. However it has been observed that Gujjar community plays the same role for vote bank politics at state level as played by the Muslim vote bank at national level. The researcher has found that, the state political parties are considering the Gujjar and Bakerwal communities as capable of flag bearers and are using them as vote bank, but they are not taking into consideration their capability to contest the election. **Hakla** (2018) published the news article under the theme of "Political reservation of Gujjars, Bakerwals". In the article, he mentioned that

Government of India had recognised the backwardness of Gujjars and Bakerwals in the J&K state and accordingly granted them Tribal status under Ordinance No 03 of 1991 under Article 342 of Constitution of India on April 19, 1991. So far, as their participation in the State politics and administrative setup is concerned under Scheduled Tribe status norms. But the state legislature has not made an effort to give them reservation in state assembly. **Hussain, F. & Afsana, I. A.** (2019) in their study have found that the participation of Gujjar and Bakerwal in politics is the only means to empower them. The authors have observed that Jammu and Kashmir is the only State of India which has not followed this significant policy of political reservation of seats for Scheduled tribe. However the authors mentioned that the beginning of politicization of Gujjars started in 1970's. The authors have also found that the recognition of Gojri language and broadcasting of Gojri programme from radio Kashmir were the first steps towards politicization of Gujjars in the state. **Bhat, S.** (18-08-2019) in the news article in India Today had presented the stand of present government on the marginalization of Gujjar tribal's in the state of Jammu and Kashmir. The author in the article has mentioned that the BJP's stand on Article 370 abrogation has paved the way for political inclusion of Gujjars of the state. According to BJP's general secretary, the delimitation process will be initiated in the state and will be helpful for reservation of seats for Gujjars as they were neglected earlier by the state government. **Choudhary, Z.** (2019) authored the book "The Kashmir Conflict and the Muslims of Jammu." The author has found that abrogation of Article 370 will be beneficial for the material benefits if the Gujjar community. But the non-material benefits that revolve around people's identity and politics will depend upon the upcoming political scenario in the state after Article 370 abrogation.

OBJECTIVES:

1. To study the constitutional measures for the upliftment of Tribal's in India.
2. To explore the level of Political participation of Gujjar Tribal's in the Jammu and Kashmir politics.
3. To investigate the challenges that thwarts the effective implementation of reservation policy in State legislative assembly.
4. To suggest measures for upliftment and improve the political representation of Gujjar community in the state.

CONSTITUTIONAL PROVISIONS

The political inclusion is the supreme value of the Democracy. It enables the each and every citizen to take part in decision making process irrespective of the religion, sex, place of birth. The term Political Participation not only mentions the Right to Vote, but also the right to take participation in decision making process and political consciousness. The Tribal communities from the ancient times have been the victims of Political Inequality. Therefore to combat the political inequality, the Government of India has instituted the reservations of seats in the Lok Sabha, State Legislative Assemblies and Local Governments. The political inclusion provisions enshrined in Constitution of India are aimed to create the just and equitable society. The political inclusion was meant to involve the marginalized communities in the decision making process. The political inclusion was made possible in the form of Affirmative action. The affirmative actions were meant for the marginalized sections of the society like: Scheduled Castes, Scheduled Tribes, Backward Classes, Minorities, and Women etc. The purpose of the affirmative action was to give priority access to marginalised section in the policy making. Political Representation of women, SC's/ST's at local level bodies at the community level. However, the Constitution of India makes a reference for affirmative actions in the following articles (Laxmikant 5th Edition).

- i. Article 14: "Right to Equality: Equality before law and Equal protection of law".
- ii. Article 330: "Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of People" (Lok Sabha).
- iii. Article 332: "Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of States".

- iv. Article 243D: “Reservation of seats in Panchayats for Scheduled Castes, Scheduled Tribes and Women under 73rd Amendment Act”.
- v. Article 243T: “Reservation of seats in Municipality for Scheduled Castes, Scheduled Tribes and Women under 74th Amendment Act”.
- vi. Article 334: “Reservation of seats for Scheduled Castes, Scheduled Tribes, and Anglo-Indian community in state Legislative Assembly and Lok Sabha” should cease to exist after seventy years from the commencement of Constitution.

POLITICAL PARTICIPATION : The political participation of the Gujjar tribals have been very discouraging since from the beginning as they didn’t have good representative voice. The following data substantiates the argument raised.

Table 1: 2001 Population Census

Census 2001	Total Population	Percentage (%)
	10069917	
General Population	9306111	92.41%
Gujjar Population	763806	7.58%

Source: 2001 Census Report

According to 2001 Census, the total population of Jammu and Kashmir was 10069917. The population share of Gujjar community was 7.58% (763806), while as others constitute 92.41% (9306111) of total population share. Thus it clearly presents the minority status of Gujjars in the state.

Table 2: 2002 Assembly Election Seat Distribution

2002 Assembly Election Seat Distribution	Total Seats	Percentage (%)
	87	
General Category Seat Share	82+1	95.40%
Gujjars Seat Share	04	4.60%

Source: CEO report on 2002 Assembly Election

The total seats in 2002 assembly election were 87. Only four (4.60%) members were elected from the Gujjar community, while as rest 83 (95.40%) were elected and nominated from general category. The data presented the sad picture of election results, because the Gujjar community has only 4.60% representation share in state assembly, while as their population share is 7.58% of total population. Thus, they are not being represented adequately in the state in 2002.

Table 3: 2002 Assembly Election Female Representation

2002 Assembly Election Female Representation	Total Seats	Percentage (%)
	87	
General Category Female Representation	02	2.29%
Gujjar Community Female Representation	0	0%

Source: CEO report on 2002 Assembly Election

The 2002 assembly election witnessed the total women representation of 2.29% from general category. While as female population from Gujjar Community does not have any representation. Thus it can be concluded that the political structure of state is male dominated and does not adequately represent the aspirations of the women particularly from Gujjar community.

Table 4: 2011 Population Census

Census 2011	Total Population	Percentage (%)
		12,541,302
General Population	11,561,048	92.2%
Gujjar Population	9,80,254	7.8%

Source: Census 2011 Report

The 2011 Census witnessed the increase in Gujjar population from 763806 to 980254. The population increase among the Gujjar Community was approximately 22%, while as the population percentage increase among other communities was 20%.

Table 5: 2014 Assembly Election Seat Distribution

2014 Assembly Election Seat Distribution	Total Seats	Percentage (%)
		87
General Category Population Seat Share	76+2	89.66%
Gujjars Seat Share	09	10.34%

Source: CEO report on 2014 Assembly Election

The 2014 assembly elections witnessed the increasing representation of Gujjar community from four to nine seats. Now the representation of Gujjar community increased from 4.60% to 10.34% from 2001 to 2014. The influx of National political parties has started their entry into the Gujjar politics and has provided them opportunity to represent their communities.

Table 6: 2014 Assembly Election Female Representation

2014 Assembly Election Female Representation	Total Seats	Percentage (%)
		87
General Category Female Representation	2+2	4.60%
Gujjar Community Female Representation	00	0%

Source: CEO report on 2014 Assembly Election

In 2014 assembly election the Female population from Gujjar Community does not have any representation. While as General category women representation has increased from 2.29% in 2002 to 4.60% in 2014.

Table 7: Chief Ministers of Jammu and Kashmir

Chief Ministers	Total Chief Ministers Since 1965	Percentage (%)

	09	
CM's from General Category	09	100%
CM's from Gujjar Community	00	0%

Source: CEO,J&K

There were total twelve state assembly elections and the state witnessed the presence of nine Chief Minister's including one female. But not a single member of the Gujjar community was elected as a Chief Minister of the state.

SUGGESTIONS

The following suggestions are being made for the effective political representation of Gujjar community in the decision making process of the state:

- i. Political reservation to the Gujjar community should be given as provided by the Constitution of India.
- ii. The state and national level political parties should make bold attempts to pursue the Gujjar and Bakerwal candidates to stand for elections.
- iii. Political parties at both levels- state and national level should favor the nomination of tribal candidates.
- iv. Women representation should be made possible by providing them reservation as per constitutional provisions.
- v. There is the need to increase tribal political participation through effective training programmes.
- vi. The political parties should revise their party structures and procedures that hinder the participation of tribal's.
- vii. There is need to recognize the reservation for Gujjar's as a legitimate right not a privilege by the state.
- viii. Proper registration of nomadic Gujjars in voter lists should be done at regular intervals of time.
- ix. The Tribal candidates filed by different political parties should be voter friendly.

CONCLUSION

The Union Territory of Jammu and Kashmir is home to different ethnic communities like Kashmiri's, Dogras and Gujjars. The Gujjar community of UT of Jammu and Kashmir is the third largest ethnic community, with approximately 10% of total population share. They are living a traditional way of life and their socio-economic conditions are backward. They have been accorded Tribal status in 1991 with the objective to enhance their political representation and to improve their socio-economic conditions. However, with the passage of time their political participation has witnessed an increase from 2002 to 2014. But their female political representation in state assembly is negligible. The suggestions were incorporated in the study with the purpose to advance their proportional representation and decision making participation in the assembly.

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