THE INDIA FORUM
A JOURNAL-MAGAZINE ON CONTEMPORARY ISSUES

April 3, 2023

Jammu and Kashmir: From Political to Economic Dispossession

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Economic dispossession has come on top of the political dispossession of the residents of Jammu and Kashmir. The Modi government has found many pretexts to put off elections to the assembly while its record on bringing growth to the region has been dismal.

This November will mark nine years since Jammu and Kashmir last held legislative assembly elections. The last time there was such a delay was in the 1990s when, following allegations of election rigging, an armed insurgency was at its height and there were close to 3,000 deaths every year due to armed conflict. By contrast, figures for deaths due to armed conflict are currently at a tenth or less (321 in 2020, 274 in 2021, and 253 in 2022). If elections could be held in the insecure 1996 conditions, what could the reasons for delay now be?

Security is not a reason. The Narasimha Rao and the Atal Bihari Vajpayee administrations held assembly elections when deaths due to armed conflict were at their height in the state (4,111 in 2001 and 3,098 in 2002). The 2002 election was assessed as one of the most free and fair in the state's history, setting the trend for the 2008 and 2014 elections. It marked the onset of the longest-lasting peace process between India and Pakistan over Jammu and Kashmir (2002 to 2008), whose effects were felt for years after it ended, until 2015. Total deaths due to armed conflict fell below 100.

A more likely reason for the delay in holding assembly elections might lie in the Bharatiya Janata Party's (BJP's) political planning. The Narendra Modi administration flirted with the idea of pursuing the Vajpayee and Manmohan Singh policy of peace talks with Pakistan and cooperation with the state's political leaders, but only briefly. Tensions with Pakistan rose in 2015-2016. The People's Democratic Party (PDP)-BJP coalition formed after the 2014 assembly election was troubled from the start, falling when the BJP withdrew in June 2018.

After it withdrew, the party's stated goal of integrating the state into the union, repeated in successive election manifestos, took the form of forcible implementation. Though Governor N.N. Vohra pressed for elections to be held within the six months norm for president's rule, the Modi administration put the decision on hold and appointed BJP politician Satya Pal Malik as governor in August 2018.

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A year later, in August 2019, it cited intelligence inputs of an impending Pakistan-backed strike as grounds for arresting more than 5,000 Kashmiri political leaders, their cadre, social activists, and journalists, sending in troop reinforcements, snapping telecommunications, imposing a curfew, and declaring a ban on all assemblies of more than five persons.

The intelligence inputs were not shared with opposition leaders or Parliament. There was no strike, or even news of one being foiled. Instead, President Ram Nath Kovind issued orders reading down Jammu and Kashmir's special status. Parliament enacted the Jammu and Kashmir Reorganisation Act, dividing the state into two and demoting the successors as union territories.

The move, party spokespersons argued, was necessary to bring growth and development to the state. Towards this, 'corrupt' and 'dynastic' parties such as the National Conference (NC), headed by successive Abdullahs, and the PDP, headed by successive Muftis, had to be removed.

To this end, the party employed three tactics. One, as in other states, it used anti-corruption and intelligence agencies to target Farooq Abdullah and Mehbooba Mufti (who has yet to be granted a passport). Two, it encouraged the formation of breakaway parties, such as the Apni Party founded in 2020. Three, it sought to pit local government representatives against legislators by repeatedly stressing that a new political leadership would emerge from the panchayats.

None of the tactics worked. Nine breakaway parties have been formed since 2019, of which the most recent is the Democratic and Progressive Azad Party of former Congress chief minister Ghulam Nabi Azad. But the 'corrupt and dynastic' NC and PDP, which are part of a coalition called the People's Alliance for the Gupkar Declaration (PAGD), which seeks a restoration of the status quo ante, are as strong as ever, perhaps even stronger.

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Union Home Minister Amit Shah's repeated assertion that elected panchayat members are "future" legislators was welcomed by a faction of the All-Jammu and Kashmir Panchayat Conference. But, in December 2022, when the Jammu and Kashmir administration issued an order to update the panchayat rolls within a month, sparking rumours that panchayat elections would be held before the assembly elections (even though the former were due only in 2026), the same faction of the Panchayat Conference urged that the old schedule be adhered to. The members would be happy to provide "new leadership" for assembly elections, said faction president Anil Sharma, but panchayat elections must not be advanced. Since 2019, more than a dozen panchayat members have been killed.

Since the paperwork has been completed, procedural requirements can no longer be used as an excuse to delay the assembly election. In 2020, the Modi administration deferred the election due that year until a fresh delimitation of constituencies was conducted, as required by the Reorganisation Act. The delimitation commission was set up eight months after the Act was passed, in March 2020. It submitted its report more than two years later, in May 2022.

The report was severely criticised by most of Jammu and Kashmir's political parties. The new delimitation added six additional seats to Jammu province and only one to the valley, creating new Hindu and Muslim majority constituencies in Jammu's mixed demography. It adopted a different population yardstick for the two provinces.

In November 2022, the Jammu and Kashmir administration announced fresh electoral rolls, which added three-quarters of a million new voters, the largest addition since the state held its first legislative election in 1957. The new rules allow even short-term residents to vote. Yet, four months later, the Election Commission has not announced dates for the assembly election.

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Despite media rumours of polls in April 2023 and BJP state president Tarun Chugh's announcement that elections would be held in May, some observers expect them to be further delayed. The PAGD has now launched a campaign to push for elections this year. In a last-ditch bid to garner sectoral votes, the Modi administration is looking to pass a bill adding the Pahari, Koli, and Gada Brahmin communities, along with the Padri tribe, to the list of Scheduled Tribes in Jammu and Kashmir.

The Modi administration's record on bringing growth to Jammu and Kashmir has been dismal. Over the past three and a half years of rule by lieutenant governors, the former state's gross state domestic product (GSDP) growth rate fell to 3.46% in 2020-2021 from 14.9% in 2018-2019. Its net state domestic product (NSDP) growth rate has fallen to 0.53% from 9.16% in the same period.

Though the 2023 budget forecasted an NSDP growth rate of 14.9% in 2022, the Economic Survey of 2023 said figures for per capita NSDP in Jammu and Kashmir were not available from 2019 onwards, as did the 2022 Reserve Bank of India Handbook of Statistics on Indian States. Urban unemployment rose to 15.6% in the first quarter of 2022 from 13.2% in 2020-2021 and 10.1% in 2018-2019. Rural unemployment rose to 52% in 2019-2020 from 43% in 2020-2021 and 39% in 2018-2019.

The incidence of child wasting rose to 19% between 2019 and 2021 from 12.2% in 2015-2016. In the same years, the proportion of children under five who were underweight rose to 21% from 16.6%. Jammu and Kashmir ranked sixth out of nine union territories on the Niti Aayog's sustainable development goals India index (SDGI), falling to a score of 49 for quality education in 2020 from 54 in 2019, to 46 from 53 on gender equality, and to 42 from 49 on industry, innovation, and infrastructure. No updated figures for 2021 or 2022 are given on the Niti Aayog's SDGI site.

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A series of measures since 2019 has added the perception of economic dispossession to that of political dispossession. The August 2019 lockdown, accompanied by an internet shutdown, plunged the state into a sharp downward spiral. Between August 2019 and June 2020, according to the Kashmir Chamber of Commerce and Industry (KCCI), Kashmir's industries suffered a loss of almost Rs 40,000 crore. Job losses in the valley were just under half a million.

Though the internet was gradually restored, its restriction to 2G affected horticulture, handicrafts, tourism, information technology, small businesses, including start-ups, and financial services, the bulk of which saw a drop of 50% in earnings. The fruit industry, which supplied apples across India, lost around 1.35 lakh metric tonnes of its crop due to restricted transport facilities. For the first time, mining rights were granted to non-local companies.

Comparable estimates are not available for Jammu, but the Jammu Chamber of Commerce and Industry (JCCI) asked the Jammu and Kashmir administration to constitute a panel to assess the losses to Jammu businesses due to "continuous shutdown, law and order problems and non-availability of internet connectivity". They also sought special protection for local industry, such as "mandatory purchase preference by the government/semi-government projects" so that they "could survive" competition with national companies.

Article 35A of the former state's constitution, which restricted voting and property ownership to permanent residents, disappeared when the Reorganisation Act outlawed the state's constitution. The revocation of the Roshni Act 2001, which allowed proprietary land grants, was sought to be used retrospectively against ownership rights granted to permanent residents under other schemes. New land rules allowed non-residents to buy non-agricultural lands. The Jammu and Kashmir administration set up a land bank to encourage national rather than local investment. Nomadic tribes were evicted from forest lands they had traditionally had the right to use.

In December 2022, the administration announced that existing land leases would not be renewed - they would be put to auction. In Gulmarg, where hoteliers said applications for lease renewal had been pending for years, 57 of 58 leases had expired. Auctions would benefit national hospitality chains over local tourism providers, who did not have the capital to compete.

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When corporate retailer Reliance opened a store in Jammu, scores of traders protested under the aegis of the Jammu Chamber of Commerce and Industry and the Traders Federation. They had repeatedly appealed to the administration to protect the small traders of Jammu, but "no plea is being heard," said Deepak Gupta, the Traders' Federation president. Though Aptech, a company that conducted recruitment tests for the services, was blacklisted between 2019 and 2022, it was rehired in 2023, leading to widespread protests across Jammu and Kashmir.

The Modi administration has failed even the Pandits, whom it claimed as a community of special concern. The removal of special status and the Reorganisation Act were touted as paving the way for their return to the Kashmir valley. But over the past three and a half years, Pandits have become prime targets of armed groups.

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The political and economic dispossession that Jammu and Kashmir's residents face is aided by administrative dispossession. In a policy of purge, the lieutenant governor constituted a special task force in April 2021 to recommend dismissals of government employees who may have been involved in "anti-national activities." In October 2022, it was reported that 44 had been dismissed under this provision, and in February 2023, three more were sacked. The dismissed included teachers, engineers, and hospital and panchayat staff.

Is it any surprise that the majority of the state's residents see elections - even for the restricted powers of a union territory - as a lesser evil to rule by the centre?

Radha Kumar is a writer and policy analyst. Her last book was Paradise at War: A Political History of Jammu and Kashmir *(Aleph: 2018).*