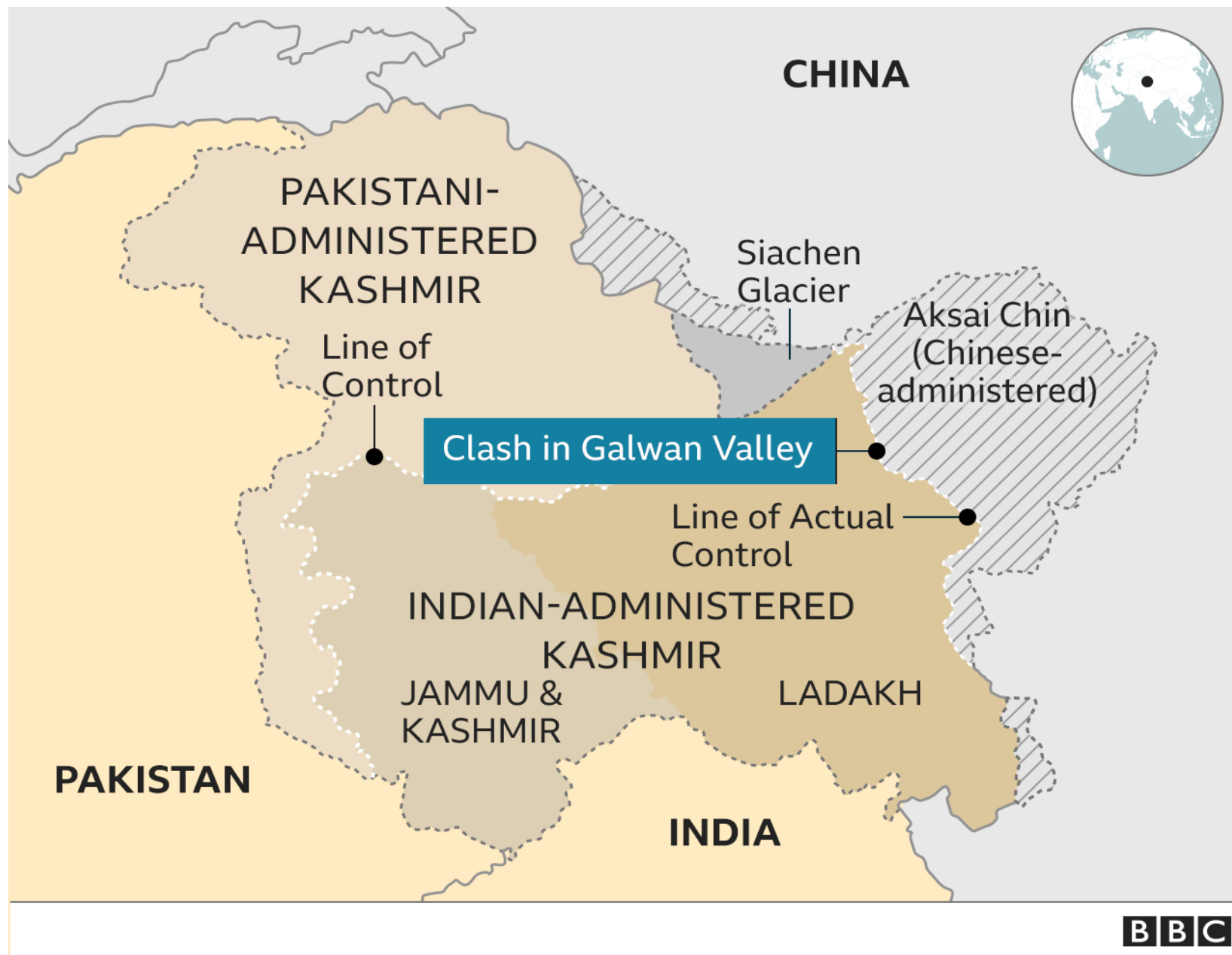


Jammu and Kashmir

Delimitation or Disempowerment?

- IFTIKHAR GILANI



KASHMIR DIVISION HAVING DISTRICT BOUNDARIES



JAMMU DIVISION HAVING DISTRICT AND TEHSIL BOUNDARIES



Jammu and Kashmir, 2011 census, Religious Data

► Total population:	12,541,302	
► Muslims:	8,567,485	- 68.31%
► Hindus:	3,566,674	- 28.43%
► Sikhs:	234,848	- 1.87%
► Buddhists:	112,584	- 0.89%

Kashmir Valley (District wise)

<i>District</i>	<i>Total population</i>	<i>Hindus</i>	<i>%age</i>	<i>Muslims</i>	<i>%age</i>
Kupwara	870354	37128	4.26	823286	94.59%
Budgam	753745	10110	1.34%	736054	97.65%
Baramulla	1008039	30621	3.03%	959185	95.15%
Bandipora	392232	8439	2.15%	382006	97.39%
Srinagar	1236829	42540	3.43%	1177342	95.19%
Ganderbal	297446	5592	1.88%	290581	97.69%
Pulwama	560440	13840	2.46%	535159	95.48%
Shopian	266215	3116	1.17%	262263	98.51%
Anantnag	1078692	13180	1.22%	1057005	97.98%
Kulgam	424483	4247	1.05%	418076	98.49%
<u>Total</u>	6888475	168813	2.45%	6640957	96.4%

Jammu Division

► **Total Population: 5378539**

► Hindus: : 3364616 - 62.55%

► Muslims: 1799232 - 33.45%

Jammu Districts

<i>District</i>	<i>Total Population</i>	<i>Hindus</i>	<i>%age</i>	<i>Muslims</i>	<i>%age</i>
Kathua	616435	540063	87.61%	64234	10.42%
Udhampur	554985	489044	88.11%	59771	10.76%
Reasi	314667	153896	48.90%	156275	49.66%
Jammu	1529958	1289240	84.26%	107489	7.02%
Samba	318898	275311	86.33%	22950	7.19%
<u>Total</u>	3334943	2747554	82.38%	410719	12.31%

Pir-Panchal Districts

<i>District</i>	<i>Total Population</i>	<i>Hindus</i>	<i>%age</i>	<i>Muslims</i>	<i>%age</i>
Poonch	476836	32604	6.83%	431279	90.44%
Rajouri	642415	221880	34.53%	402879	62.71%
<u>Total</u>	1119251	254484	22.73%	834158	74.52%

Chinab Valley Districts

<i>District</i>	<i>Total Population</i>	<i>Hindus</i>	<i>%age</i>	<i>Muslims</i>	<i>%age</i>
Doda	409936	187621	45.76%	220614	53.81%
Ramban	283713	81026	28.55%	200516	70.67%
Kishtwar	230696	93931	40.71%	133225	57.74%
<u>Total</u>	924345	362578	39.22%	554355	59.97%

Jammu Division is not homogenous, it comprises of:

- ▶ Muslims: 33.45%
- ▶ SC/Dalits: 20%
- ▶ Brahmins: 23%
- ▶ Rajput/Dogras: 12%
- ▶ Vaish: 5.5%
- ▶ Sikhs: 6%

Ladhakh Division

► **Total Population: 274289**

► Hindus: 33223 - 12.11%

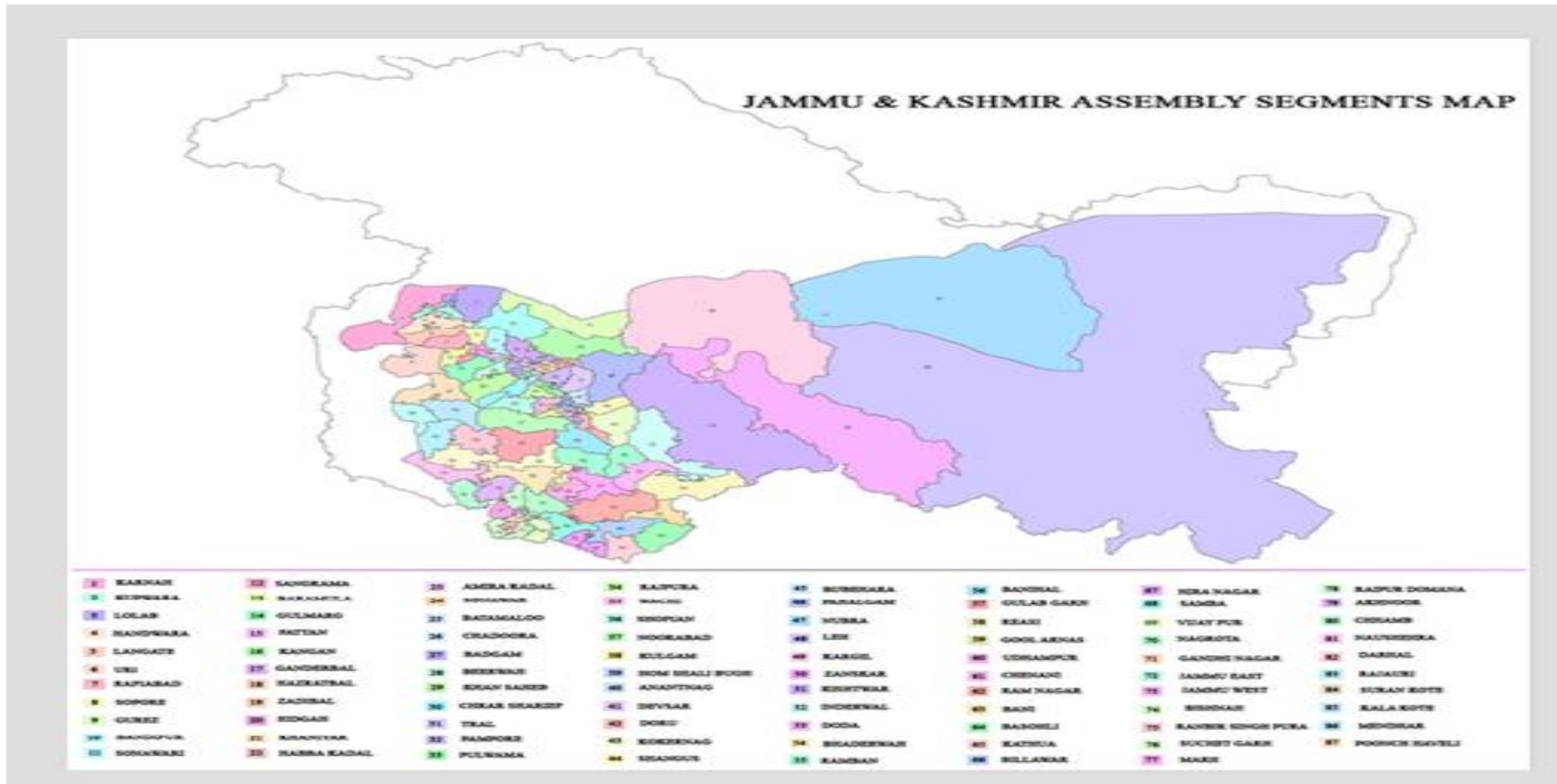
► Muslims: 127296 - 46.40%

Ladakh (Leh and Kargil)

<i>District/ Hill Council</i>	<i>Total Population</i>	<i>Hindus</i>	<i>%age</i>	<i>Muslims</i>	<i>%age</i>	<i>Buddhists</i>	<i>%age</i>
Leh	133487	22882	17.14%	19057	14.27%	88635	66.39%
Kargil	140802	10341	7.34%	108239	76.87%	20126	14.29%
<u>Total</u>	274289	33223	12.11%	127296	46.40%	108761	39.65%

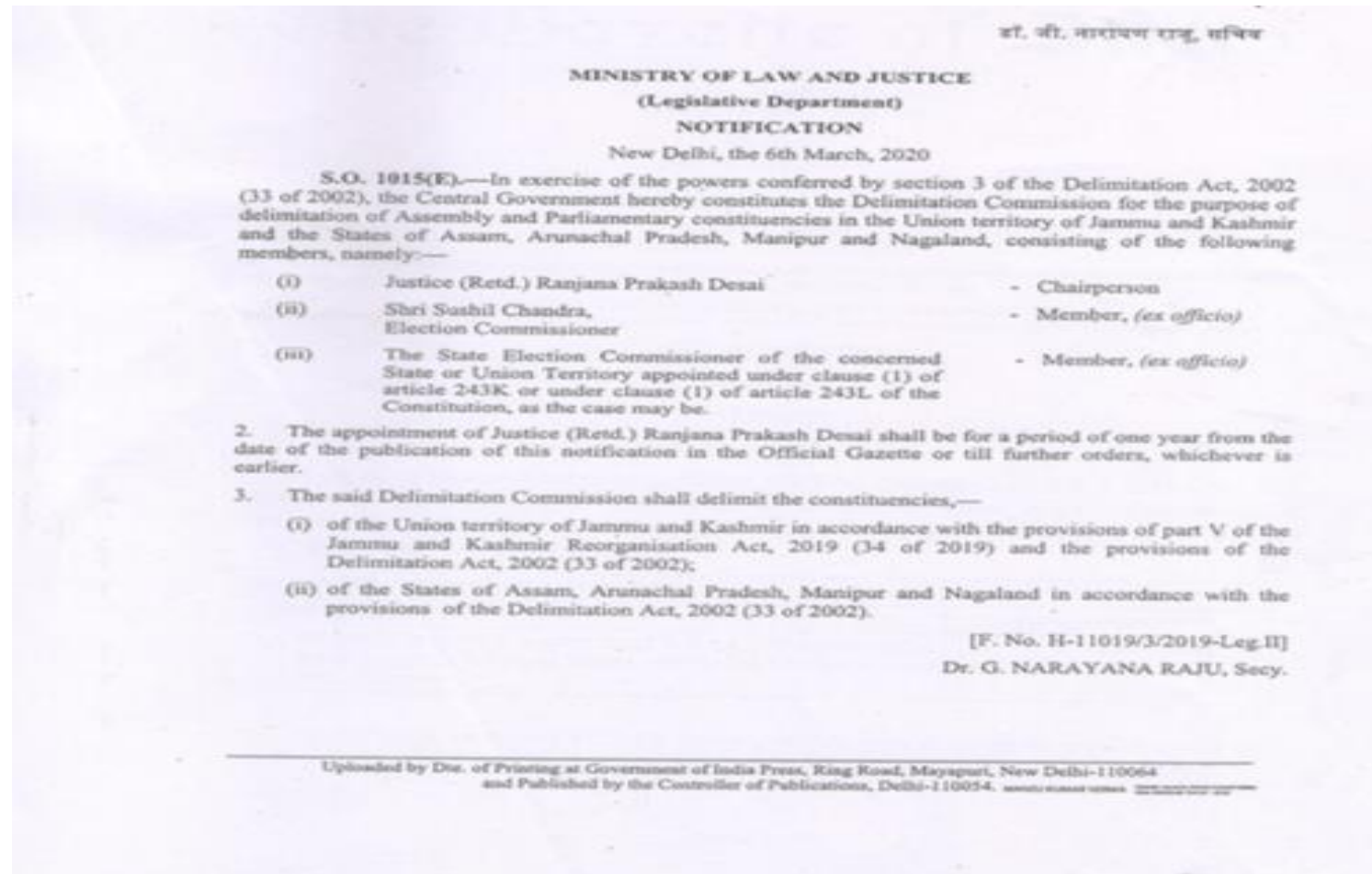
Based on population distribution **Kashmir division** had **46 seats** and **Jammu division** **37 seats** in the Jammu and Kashmir assembly.

Total: 87 seats (4 of Ladakh, now excluded)



Jammu and Kashmir Reorganization Act
adopted by Indian Parliament in August 2019
provides a new legislature with 90 seats

On March 6, 2020 Government of India appoints Delimitation Commission -



A year later the term of the Delimitation Commission was extended and confined only to Jammu and Kashmir -

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 3rd March, 2021

S.O. 1023(E).—In exercise of the powers conferred by section 3 of the Delimitation Act, 2002 (33 of 2002), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Law and Justice (Legislative Department), number S.O. 1015(E), dated the 06th March, 2020, namely:-

In the said notification,—

- (i) in the opening paragraph,—
 - (a) the words, “and the States of Assam, Arunachal Pradesh, Manipur and Nagaland”, shall be omitted;
 - (b) for sub-paragraph (iii), the following sub-paragraph shall be substituted, namely:-
“(iii) The State Election Commissioner, the Union territory of Jammu and Kashmir.”;
- (ii) in paragraph 2, for the words, “one year”, the words, “two years” shall be substituted;
- (iii) in paragraph 3, sub-paragraph (ii) shall be omitted.

[F. No. H-11019/3/2019-Leg.II]

Dr. REETA VASISHTA, Addl. Secy.

Note : The principal notification number S.O. 1015(E), dated 06th March, 2020 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) on 06th March, 2020.

The leaders of 9 mainstream/pro-India political parties met Prime Minister Narendra Modi on June 24



These leaders demanded:

- ▶ Return of Statehood
- ▶ Restoration of assemblance of autonomy
- ▶ Putting on stop to demographic changed in the event of abrogation of local citizenship law
- ▶ Restoration and election to regional assembly
- ▶ Setting up of a political structure

Home Minister, Amit Shah, spelled out a roadmap in the order

- Undertaking an exercise of Delimitation/redrawing boundaries for assembly constituencies
- Conducting elections on new demarcations
- Allowing the new assembly to adopt resolution to request New Delhi to return statehood
- Once exercise is completed Indian Home Ministry will draft and then present legislation to the Parliament
- Jammu and Kashmir parties asked to participate in the limitation exercise
- National Conference, major party in the region, agrees to attend the Delimitation



BJP ex-officio member of the Delimitation Commission demands that the area, not population, should be made criteria for new assembly constituencies in a bid to increase seats for Hindu majority Jammu division

Area of Jammu and Kashmir – 42,241 sq. Km

Area of Kashmir Division – 15,948 sq. Km

Area of Jammu Division – 26,293 sq. Km



Ladakh now a separate Union Territory has area of 59,146 sq. Km

- ▶ Average population per assembly segment in Kashmir – 149,749
- ▶ Average population per assembly segment in Jammu – 145,365

- ▶ Muslim representation in last assembly – 66.66% (58 members against 68.31% of Muslim population)
- ▶ Hindu community representation in last assembly – 31% (27 MLAs against 28.43% of Hindu population)

The formula of making population as the criteria for demarking electoral constituencies is in practice all over India

S. No.	State/UT	No. of parliamentary (Lok Sabha) constituencies	Total Population (2011)	Area (kms)	Average Population per parliamentary constituency	Average area per parliamentary constituency
1.	Uttar Pradesh	80	19,98,12,341	2,40,928	24,97,654	3,011.6
2.	Madhya Pradesh	29	7,26,26,809	3,08,245	25,04,372	10,629.134
3.	Assam	14	3,12,05,576	78,438	22,28,969	5,602.72
4.	Jharkhand	14	3,29,88,134	79,714	23,56,295	5,693.85
5.	NCT of New Delhi	7	1,67,87,941	1,483	23,98,277	211.85

Despite Kashmir Valley having more population has same number of 10 districts as Jammu division

Hence, both divisions have same number of District Development Councils



- Therefore in light of the DDC pattern there is likelihood of distributing 45 seats each to the Jammu and Kashmir valley divisions.
- There is proposal to reserve 18 seats for Scheduled Casts/Dalits/Lower Caste Hindus and Scheduled Tribes or tribal groups
- The reserved seats are distributed between the two regions
- There is fear that this exercise will decrease the number of Muslims in the assembly because from the reserved seats no Muslim, particularly from Kashmir, will be able to contest.

There are instances elsewhere in India when Dalit or Scheduled Castes seats have been kept in General category and Muslim majority seats in reserved so that no Muslim is able to contest and win elections. It seems the same formula is being applied to Jammu and Kashmir for complete political disempowerment of local Muslims

Appendix Table 2.2: State Assembly Electoral Constituency / Tahsil, Reserved for Scheduled Castes with relative share of Muslim Population

Tahsil Name	Total Population	Muslim Population	SCs Population	STs Population	SCs Pop as % of Total Population	Muslims as % of Total Population
Uttar Pradesh : Reserved Assembly Constituency						
Hapur	773899	220996	181026	11	23.4	28.6
Najibabad	605199	297892	139227	418	23.0	49.2
Nagina	625366	264523	134807	2004	21.6	42.3
Koil	1373814	368210	283384	203	20.6	26.8
Khalilabad	605777	194538	123577	192	20.4	32.1
Mankapur	530697	95791	87701	9	16.5	18.1
Jansath	767827	280764	125816	0	16.4	36.6
Faridpur	383771	88280	61607	0	16.1	23.0
Uttar Pradesh: Un-Reserved Assembly Constituencies						
Marihan	189950	6167	93575	617	49.3	3.2
Ghorawal	225824	10198	100869	8	44.7	4.5
Lalganj	287983	17125	122031	189	42.4	5.9
Hardoi	975970	85110	391950	98	40.2	8.7
Misrikh	764302	65750	289823	19	37.9	8.6
Sandila	828047	120541	309395	75	37.4	14.6
Haidergarh	507962	72085	182517	61	35.9	14.2
Bakshi Ka Talab	276134	33062	98476	93	35.7	12.0
Tahrauli	151202	4688	53302	57	35.3	3.1

Reduced number of Muslims in bureaucracy

- ▶ Out of 24 secretaries only 5 are Muslims
- ▶ Out of 58 top serving officers: 12 are Muslims (17.24% Muslims)
- ▶ In the Second tier of civilian bureaucracy: Muslims are 220 (42.06%) out of 523
- ▶ Police services: out of 66 top police officers 7 (10.6%) are Muslims
- ▶ Second tier of Police service out of 248: 108 (43.54%) are Muslims

In view of the lower number of Muslims in the state bureaucracy already, now the new scheme of demarking assembly constituencies and reserving seats will further decrease Muslims, particularly from Kashmir, in political structures, thereby, will complete their disempowerment

Genuine peace is possible by empowering people

Only peace of a graveyard is possible by disempowering people.

Pushing people's back to the wall is a recipe for disaster. John Hume, an architect of Northern Ireland's Good Friday peace agreement, once said that *“Even a small faction of dissatisfied population can be a perpetual security threat.”*

Therefore, for the sake of peace, it is imperative to remove dissatisfaction and evolve a people's centric approach to settle the issue of Jammu and Kashmir forever to the lasting peace of South Asia.



THANK YOU