

WHY ARE TRIBAL KASHMIRIS BEING EVICTED FROM THEIR LAND?

Who are the Gujjars and Bakarwals?

The Gujjars and Bakarwals are primarily nomadic tribes residing in Kashmir, moving between high and low elevations with the seasons. In 1991, the Bakarwals were recognized by the J&K government as a Scheduled Tribe. Many of those belonging to these tribal communities do not own land in official capacity, instead making temporary homes to settle in during the alternating summers and winters. Over the decades, some have decided to settle in their traditional forest lands more permanently, depending on agriculture and animal rearing (The Wire).

What is happening to these communities?

Over the past month, many people belonging to the tribal communities of Kashmir have been receiving notices from the government that classify their homes, including both temporary and permanent structures, as illegal occupations of forest land. (Al Jazeera)

These notices come ahead of winter, when many of the nomadic tribes have traditionally depended on these lands to make their homes for the season.

One such notice obtained by The Wire reads:

“You have illegally occupied the land of the forest department and also erected an embankment. In this connection, you are informed to raze these illegal structures within the seven days.”

Now, many of them have nowhere to go and authorities have already begun to demolish several of their homes. Members of the Gujjar community reported that one such demolition included government officials who beat locals away when they attempted to protest. (The Wire)

What is the Forest Rights Act?

In 2006, the Forest Rights Act was implemented across India, granting tribal communities the right of settlement in forest areas, except in Jammu and Kashmir, where Article 370, was, according to officials, restricting its implementation. As such, the revocation of Article 370 should technically cause the FRA to apply to Kashmir's tribal communities as well.

Nevertheless, eviction notices have continued to be issued while the government made no motion to actually implement the Act. (Free Press Kashmir, Al Jazeera).

How is this linked to India's settler colonial project?

Land grabs:

Members of the tribal communities have been living in the area for many decades undisturbed, and concerns are being raised that the evictions are occurring following a series of land law amendments as well as the revocation of Kashmir's special status that will allow outsiders to buy up Kashmiri land.

Anti-Muslim repression:

Concerns are also being raised that many of the tribal communities are being targeted because they are Muslim, as non-tribal Kashmiri Muslims across the disputed territory fear they will soon be next in a potential displacement campaign.

Colonial settlement:

Lands near tourist areas may also be given to Indian tourist investment, and used to build hotels and other properties for Indian settlers.