Displacement in Jammu and Kashmir: A Study of West Pakistan Refugees

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ABSTRACT
India has been one of the most prominent refugee receiving countries in the world. According to Refugee International estimates, it hosts around 3,30,000 refugees. Due to conflict ridden states in neighbourhood, India has hosted some of the largest refugee movements in history including massive flows between India and Pakistan in 1947. Due to porous borders and accommodative policies, the number of refugees in India reaches approximately to 3.5 million in one or other way. Presently, India has refugees from Tibet, Sri Lanka and Chakma of Bangladesh including refugees as Burmese, Afghans etc. There has been no distinction made between Indian nationals and others including refugees in ensuring the basic human rights and freedom. Articles 14 and 21 of Indian Constitution are equally applicable to all except in case of Jammu and Kashmir Kumar. Thus, the current study was an attempt to explore the status of refugees i.e. West Pakistanis in erstwhile state of Jammu and Kashmir.

KEYWORDS: Displacement, Refugees, Jammu and Kashmir, India

INTRODUCTION
Every year, millions of people get uprooted from their respective homelands or live life of exile to escape persecution, war, human rights violation, political upheaval etc. the issues of conflict and the violence are the major reasons for the refugee problem (UNHCR). The conflict and civil war rise in a particular place leads to displacement and uproot of huge populations from their homeland. The refugee problem has a multifaceted nature due to its individual, group, humanitarian, ethical and developmental aspects. It includes every person who lives his or her place of habitual residence due to external aggression, occupation, foreign domination or events seriously disturbing public order.

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Refugees are one of the most vulnerable sections of the society due to loss of their home, property, relatives etc. In 2012, due to the conflict, a visible increment of refugees could be seen in different places viz. Congo, Mali, Syria and Sudan. This has led to a visible and big contribution in the outflow of the refugee’s population. The refugees are also prone to cheating, unsafe travelling, physical violence, rape or killing, separation from relatives, mental trauma etc. They have to face harsh situations in the countries they seek refuge especially as they have to share the resources of locals. Violence under conflict situations is used for ethnic cleansing. It may deliberately used against specific group of people in different ways including the sexual and gender-based violence. Due to conflict led situation, many civilians come to the threshold of being at risk, especially when their state cannot assure them the security socio-economic, political security. The insecurity of fundamental rights leading to displacement affects every citizen in general and women, children, older people in particular. Extended conflicts lead to everlasting displacement and people live in the very bad conditions and have to depend on support.

CONCEPTUALISATION: REFUGEES, MIGRANTS AND INTERNALLY DISPLACED PERSONS

Refugee: according to United Nations Convention is a person who owing to a well-founded fear of being persecuted reasons of race, religion, nationality, membership of a particular social political opinion, is outside the country of his nationality and is unable such fear, is unwilling to avail himself of the protection of that country; not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is return to it. It is an involuntarily departure from the country of origin or nationality. This is in contrast to migrants and aliens, who voluntarily leave their home countries. The refugee problem is the consequence of not only the First World War and Second World War, modern dictatorial regimes and ethnic strife, but also of the innumerable socio-economic inequalities of neo colonial world.

The new class of homeless and stateless created by the refugee movements causes great political and economic problems for the host countries. Although, the problem of refugee is as old as history, it is only at the end of First World War that the International Community began to take serious note of it. In comparison to its earlier temporary nature the refugee problem has now been acknowledged as universal, continuing, and recurring. Every year millions of men, women, and children flee from their homeland due to war violence, environment disaster and repression which have over taken their land. These People take shelter in foreign countries where they are isolated and impoverished. Today, the problem has become a matter of acute International concern. The 20th century has been described as the “century of homeless man” or “century of uprooted” because of tremendous increase in the number of refugees. Caused by armed conflict, violence, persecution, Disasters.

Migration: is a relatively permanent moving away of a collectively, called migrants, from one geographical location to another, preceded by decision making on the part of the migrants on the basis of a hierarchically ordered set of values or valued ends. A migrant is not necessarily a refugee. A migrant may leave his country out of choice to improving his/her economic conditions without any persecution and any of the other conditions. A person can be considered as a migrant even when he/she are born in the country. And he can be defined as a migrant worker that is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national. According to “ Article 1.1 (a) it covers all cases where the decision to migrate is taken freely by the individual concerned, for reasons of personal convenience and without intervention of an
external compelling factor. This definition indicates that migrant does not refer to refugees, displaced or others forced or compelled to leave their homes. Indeed, some scholars make a distinction between voluntary and involuntary migration.

Displacement: is a process of people being involuntarily moved from their homes because of war, governmental policies or certain other factors, requiring groups of people to find new places to live. It causes severe social, economic and environmental stresses that translate themselves into physiological, psychological, socio-cultural, economic and ecological damage. It involves the loss of people’s rights to land and resources which has to be compensated only through the process of resettlement and rehabilitation. It as a multidimensional phenomenon should not be reduced to merely as one of effective relocation. It is commonly experienced through the loss of land and the disruption of social and economic relationships. The consequences are multiple not only for the displaced group, but also for the communities left behind, the receiving communities and indeed, for society as a whole. According to (IASFM, 2011), Displacement as an outcome of conflict, development and disaster (IASFM, 2011) has been one the serious concerns for all developing countries including India.

Most importantly, Internally Displaced Persons who have been forced obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violation of human rights or natural or human made disasters and who have not crossed an internationally recognized state border (Inter-Agency Standing Committee, 2010). IDP’s remained entitled to all the rights and guarantees as citizens other habitual residents of a particular state. Unlike refugees however, they are not protected by international law and they are not eligible to receive many types of aid (Inter-Agency Standing Committee, 2010). It is often difficult to get accurate figures for IDP’s because populations are constantly fluctuating. Sometimes, some persons may return home while others flee. In more than 50 countries around the world, some 2.6 crore individuals are uprooted from their homes and displaced in their own countries as a result of conflict or human rights violations. In addition, natural disasters caused the displacement of 3.6 crore persons worldwide in 2018 (UNHCR, 2018). This type of displacement may also be caused by an armed conflicts, Violence of human rights at national and regional levels and Disasters like droughts, floods, earthquakes or typhoons, nuclear disasters or famine (Kalin, 2000).

REFUGEES IN INDIA: A HISTORICAL OVERVIEW
Tolerance of different religions had been an integral part of Indian tradition. India had been the home to all major religions in the world. Tolerance and good will made India a haven for Refugees. In the Indian tradition, a stranger who comes as guest is referred to as Athithi and the host is expected to treat him as God. In modern times, the movement of refugees and displaced persons has seriously affected India and other South Asian countries. Nearly 20 million people crossed the India-Pakistan borders before and after independence, 10 million East Pakistani refugees came to India before the liberation of Bangladesh; and 3.5 million Afghan refugees moved into Pakistan following the Soviet military intervention. 80,000 Tibetan refugees came to India after 1959 and are camped in different parts of the country. About 53,000 Chakmas have crossed over to Tripura, Arunachal Pradesh and other North Eastern states. India has also provided shelter to 19,000 Afghan refugees and few hundred ethnic Nepalese from Bhutan. A small number of Burmese students, fearing persecution from the military regime, have also been given asylum. If Sri Lankan Tamil
refugees added to this figure, the total number of refugees and displaced persons looked after by India in post-independence would be approximately 25 million.

Post partition communal clashes prove that it was not a onetime event; rather it has emerged as a crisis in post-partition period especially in the bilateral relations of India and Pakistan. The division of British India into two sovereign states was accompanied by the mass, often violent, migration of some 15 million people, for the most part desperate and fearing for their personal safety. The migration was bi-directional as, Masses of people migrated in opposite directions: Hindus and Sikhs headed towards India, while Muslims moved in the opposite direction, from India to newly formed Pakistan – both groups leaving behind ancestral homes, farms, other immovable as well as movable property and possessions. The subcontinent witnessed the worst kind of violence as members of all three communities-Hindus, Sikhs and Muslims participated in communal riots. Entire trains carrying fleeing migrants were savagely attacked and their passengers massacred as each community in turn sought retribution on the other. Women especially, were frequently used as objects and symbols of the exercise of power in this communal frenzy and, in astonishingly large numbers, were raped, maimed, battered or killed.

THE DISPLACED PERSONS IN JAMMU AND KASHMIR

However, by the third week of October 1947, in the wake of the wider conflagration, Jammu and Kashmir, a majority Muslim state, also became an arena of political and religious violence. The state was invaded by neighbouring tribes from Pakistan led its immediate accession to India. There are four types of displaced persons in Jammu and Kashmir:-firstly, those migrated from Pakistan occupied part of Jammu And Kashmir State in 1947. Secondly, those migrated from Pakistan areas adjoining to Jammu and Kashmir State in 1947 that is West Pakistani Refugees. Thirdly, those evacuated from some villages of Chhamb area in 1965 war and displaced from Chhamb after this area was handed over to Pakistan under Shimla Agreement of 1971. These also include those who are displaced due to Indo-Pak cross border shelling. Lastly, those migrated out of Kashmir due to insurgency in 1989 i.e. Kashmiri Pandits.

POK DISPLACED PERSONS

The displacement involves people who were citizens of the Princely state of Jammu and Kashmir known as the Pakistan Occupied Kashmir Displaced Persons (PoKDP), they moved from the Pakistan administered part of Kashmir to the Indian administered Kashmir, mainly the Jammu region and surrounding areas. The regions on the fringe that were desolated by Pakistan's hostility in OCT-NOV, 1947 included Mirpur, Poonch, Muzaffarbad and unexplored districts of Ladakh and Gilgit. Those outcasts who were displaced from Mirpur, Poonch, and Muzaffarbad what now called as Pakistan occupied Kashmir are POK Displaced persons. No less than 40 percent of POK DP’S have been driving a hopeless life for as long as three eras in Jammu, Kathua, Rajouri, Poonch and Udhampur locale of Jammu and Kashmir. With an appraisal around two lakh POK individuals are living in different camps in Jammu territory, particularly in R.S Pura and Jammu territories to be specific Gadigarh, Bakshi Nagar, Rehari, Karan Nagar, Keerian and Gangyal.

1965 AND 1971 REFUGEES

The Indo-Pak war of 1971 resulted in the forced migration of people from the Chhamb sector in the first week of September 1971. At the time of this displacement, these people perceived that this migration was temporary as it had happened before in 1947-48 and 1965 wars with Pakistan.
left their homeland with whatever little they could gather in a state of hurry, panic and terror. People even left their old, infirm, pet animals and heavy loads in the hope of returning back. Many a people lost everything except the clothes on their bodies. They had to start right from scratch and face innumerable difficulties. The elders of the families were not in a position to shoulder the responsibilities of their families as they didn’t have enough income sources to support them. During the war these people were left to fend for themselves.

After declaration of ceasefire on 16 Dec 1971 the Govt. of India in consultation with the Govt. of Jammu and Kashmir decided to shift these Displaced Persons (hereafter referred to as DPs) to camps at Manwal and Kishanpur, about 70 kms from Jammu on the Dhar road near Udhampur. They were impossibly cramped in tiny tents. A family of 5-6 persons were a given a tent covering about 13 sqft area with no facilities whatsoever of bathing, cooking, toileting etc. They had no other option but to cope with these sufferings by surviving on their limited means of livelihood. Majority of the people who suffered displacement were senior citizens, women and children. This erosion was further aggravated when these people were forcibly evicted and rehabilitated in separate small groups. Continuous disruption of life due to cross border firing and general prevalence of insecure environment at the international border are further making life more problematic. These people are border landers not by choice but by compulsion. There is a long trail of suffering behind them. The intricate linkage between the external causes of war and internal dimension of militancy in Jammu and Kashmir has further added ordeal for the border lander\textsuperscript{16}.

KASHMIRI PANDITS

Large-scale internal displacement took place from the valley during 1989-1990 after selective killing of prominent personalities, mass rallies and receiving of short notices to quit Kashmir. The state apparatus also failed to control militancy and provide security to minority groups. During the migrations, large number of Kashmir Pandits settled in Lahore, Delhi, Agra, Lucknow, Hardoi, Kanpur, Allahabad, Gwalior, Jaipur and Jodhpur. Substantial numbers were also found in Shimla, Ambala, Multan, Ajmer, Dehradun, Ujjain, Indore, Bhopal and Cuttack\textsuperscript{17}. Kashmiri Pandits, Almost 2.5 to 3 lakh Kashmir people have been displaced from the valley. There are around 34,131 registered internally displaced families living in Jammu region. 5,889 families are living in camps around Jammu region. 28,242 families are living outside the camps in Jammu region. 19, 338 families are living in Delhi and rest in other Parts of the country\textsuperscript{18}.

WEST PAKISTAN REFUGEES

The partition was not limited to the divisions of land only, but it divided people, emotions, relations etc. Millions of Hindus and Sikhs who migrated to India and the same way millions of Muslims migrated to India settled in different parts especially Punjab, Rajasthan, and Gujarat. A chunk of population called West Pakistani “Refugees also migrated to the Jammu and Kashmir state who came during partition from various districts of pre-partition west Punjab bordering the state of Jammu and Kashmir and settled in the border districts of Jammu, Samba and Kathua\textsuperscript{19}. They migrated to Jammu to save their life but even after 90 years of Independence these refugees failed to obtain citizenship of the state. The situation is such that neither they can get admission in professional colleges of the state nor they can apply for government job in the state. They can vote in the parliament but not for state assembly of which the reason is that the WPR are not the original residents of the erstwhile state of J&K\textsuperscript{20}. It was the peak time of migration from Pakistan Occupied Kashmir (POK) and West Pakistan towards the state of J&K\textsuperscript{21} the displaced persons of 1947, 1965
and 1971 who belonged to POJK were rehabilitated by the state of J&K. 

These refugees are the Hindu families mostly comprising mostly of scheduled castes and backward classes were settled in the state of J&K while rest of the migrants were settled in other parts of the country. (WPRAC) They migrated during the partition from Sialkot. Historically, Sialkot in West Pakistan and Gurdaspur in India’s Punjab state had very close cultural links. At the time of partition however, this group chose to take refuge in Jammu, as it was the closest town across the line of partition from Sialkot. Gurdaspur and Amritsar in Punjab were 92km and 95 km from Sialkot respectively compared Jammu which was only 38km away. These people got settled in different parts of India especially Jammu in three districts namely Jammu, Kathua and samba. Most of the refugee in Jammu region migrated from districts of West Pakistan Sialkot and Gurdaspur.

The west Pakistani comes to Jammu due to various reasons. The Jammu was the nearest area across the line of control/partition from Sialkot. Besides these many of them arrived with the perception that the Jammu and Kashmir state was ruled by a Hindu king and they can be safe. At the same time, many of them arrived in Jammu due to the confusing circumstances. The refugees who arrived in Punjab and Jammu had most of the similarities with the host population especially in terms of language, religious and cultural. As per the official data 47,215 people comprising of 5,764 families migrated to Jammu especially from Sialkot district to Jammu and the maximum population is from the S. The initial group arrived in Jammu in April 1947, after the riots in March 1947 in Punjab, Rawalpindi etc. In Jammu region these refugees are facing many problems and are denied of the basic rights. In this regard, these people have been struggling for their rights and identity for the last 70 years. As per the 1947 WPR action committee, an organization of these refugees which is struggling for their rights of WPR revealed the data that there are total 19960 families are identified. The total number of families of West Pakistani Refugees till date is 19960 which following breakup location wise:

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Tehsil’s Name</th>
<th>Number of Families</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hiranagar</td>
<td>1096</td>
</tr>
<tr>
<td>2</td>
<td>R.S Pura</td>
<td>3348</td>
</tr>
<tr>
<td>3</td>
<td>Samba</td>
<td>1632</td>
</tr>
<tr>
<td>4</td>
<td>Akhnoor</td>
<td>2271</td>
</tr>
<tr>
<td>5</td>
<td>Jammu</td>
<td>6908</td>
</tr>
<tr>
<td>6</td>
<td>Kathua</td>
<td>2199</td>
</tr>
<tr>
<td>7</td>
<td>Bishnah</td>
<td>2051</td>
</tr>
<tr>
<td>8</td>
<td>Udhampur</td>
<td>51</td>
</tr>
<tr>
<td>9</td>
<td>Reasi</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>Doda</td>
<td>5</td>
</tr>
<tr>
<td>11</td>
<td>Supplementary list</td>
<td>401</td>
</tr>
<tr>
<td>Total</td>
<td>11</td>
<td>19960</td>
</tr>
</tbody>
</table>

Source: WPRAC Official Record

West Pakistani Refugees even after 7 decades of Independence are considered as non-state subjects in the state of J&K. They are entitled to vote only in parliament elections, and cannot exercise their franchise in state assembly polls, because constitution of J&K provides voting rights in assembly and
local body polls only to state subjects of J&K state or it naturalized residents. They cannot apply for state government jobs as well as purchase property in J&K, because article 370 of the Indian constitution neither allow non state subjects to apply for government jobs nor to purchase property in J&K.

The partition of India led West Pakistani Refugees of Jammu and Kashmir to leave their places of origin i.e. Sialkot. Their escape and settlement in Jammu saved their life and honour. They were categorized as POJK refugees, West Pakistani Refugees, terror victim of Jammu region, war refugees etc. These refugees are 90 percent of Hindu community and 10 percent Sikhs mostly belonging to a category called ‘disadvantage’, migrated from West Pakistan and have been living in Jammu region since 1947. After seven decades of independence, these refugees were unable to enjoy full citizenship in J&K. Though, they are entitled to vote in national election. In Jammu and Kashmir, they were also unable to purchase the land, property, and apply for government jobs. There was a need to amend the laws to extend citizenship to these people also Bhat (2019).

These problems of refugees of west Pakistan includes illiteracy, unemployment, denial of political and economic rights. Singh (2017). In 1947, at the time of partition and the tribal invasion of the princely state, two distinct types of Displacement occurred were the west Pakistani refugees who moved from Pakistani towns adjacent to the state of Jammu and Kashmir and the other involving the POKDP, citizens of the state, who moved from Pakistan- administered part of Kashmir to the Indian-administrated Kashmir, mainly the Jammu region and surrounding areas. Masses of people migrated in opposite directions.

Hindus and Sikhs moved towards India while Muslims moved in opposite directions from India to newly formed Pakistan. Both the groups left behind their ancestral homes, immovable as well as moveable property and possessions Trembly (2016). The people migrated from West Pakistan to Jammu and Kashmir during the partition are the worst sufferers. Their situation is quite different from those who migrated from Pakistan to other states. They unlike others could not enjoy the welfare measures such as allotment of houses, jobs etc. They could not enjoy the status of legitimate citizens and rights or privilege that Indian constitution confers to all its citizens. The 80 percent of refugees in J&K belonging to deprived sections were from Scheduled Caste. They were unable to get citizenship due to partial implementation of article 15 in J&K. Despite having special powers, the J&K state has been failed to extend the benefits of centrally sponsored scheme among the West Pakistan Refugees. They were not made eligible to participate in state or local governance Jammu Height (2013). The unique geography, liberal democratic polity and multi-ethnic society of India have played a vital role in increasing the flow of refugees in India from its neighbourhood Zutshi, Satpate, and et al (2011). West Pakistan ‘Refugees’, are the victims of the partition holocaust of 1947, who came during partition from various districts of pre- partition west Punjab bordering the state of Jammu and Kashmir and settled in the border districts of Jammu, Samba and Kathua Nargotra (2012).

The current study dealt with issues faced by the West Pakistani Refugees in the state of Jammu and Kashmir since independence of India. It explores status of refugees who despite special provisions of J&K state were unable to attain the citizenship. The study aimed to know the socio- economic and political status of the West Pakistani Refugees in the state of Jammu and Kashmir. The study also explored that the central government announces special packages for these people but the major problem is that there is a data clash between the government and the Action Committee of West...
Pakistani refugees. The government gives compensation of Rs 25 lacs to each family comprising of total of 5764 families. But the fact of the matter is that there are 19428 families which were not registered and were not given land or compensation.

OBJECTIVES OF THE STUDY
1. To understand the factors responsible for the displacement of people from Pakistan towards India.
2. To explore the problems of West Pakistan Refugees.
3. To examine the measures taken by the governments for West Pakistan Refugees

RESEARCH METHODOLOGY
The Universe for the present study includes the displaced population of West Pakistani Refugees in Jammu division. The sample for the study was drawn from six villages of district Jammu and Kathua-three villages from district Kathua and three villages from district Jammu. The villages to complete the study were selected through purposive sampling keeping in mind the population of West Pakistani Refugees. The sample for the study comprised of a total 90 respondents, selected from the six villages i.e. Chackjaffar, Gajansu, Shamachak, MirpurRam, Khokyal, Bigwan. Due to indefinite size of Population an equal distribution of respondents from six villages i.e. 15 respondents were chosen. Majority of respondents i.e. 55 (61.2) are males and 35(38.8) are females. For the collection of data, both primary and secondary sources were used. Besides, using the interview schedules, the in-depth personal interviews and narratives of some people were made. The data so collected was analyzed using simple statistical tools and techniques.

DISCUSSIONS AND RESULTS
The study revealed that West Pakistani Refugees migrated from West Pakistan due to the fear of death and destruction unleashed by communal clashes that broke out in the aftermath of partition of country in 1947 leaving behind all hearts and homes, moveable and immovable property and all livestock including personal belongings. The study reveals that West Pakistani Refugees faced various problems in Jammu And Kashmir State. They don’t have the right to participate in State Assembly elections and other local bodies in state of Jammu and Kashmir. West Pakistani Refugees don’t have the right to get admission in higher education and other technical courses in the state of J&K. Due to the denial of higher education, the children are showing less interest in education which increases the dropout rate. The first generation of these refugees is almost illiterate with very a few having studied up to middle class.

The denial of higher education due to lack of permanent resident status ultimately deprives them of employment. The West Pakistani refugees don’t have any reservation in the central government services, nor do they can seek employment in Jammu and Kashmir state government service. This is a very serious situation that leading to many other problems relating to livelihood and subsequent poverty. No relief or rehabilitation was provided to them by the state government. They don’t have the ownership rights and Ownership land is linked to the status of person is only when he/she is a permanent resident of the J&K state. These people have allotted the state land and these refugees cannot own this land. The real Owner of the state land is the Government itself. These refugees due to lack of permanent residents status cannot buy and own land other than the allotted in any part of the J&K state. Further the distribution of the land was uneven and many of these refugees don’t have land. The governments of Jammu and Kashmir do not pay any attention towards these people.
The study also reveals that the response of the civil society and the people Jammu and Kashmir towards West Pakistani is not up to the mark.

**Figure 1: Literacy Level of the Respondents**

![LITERACY LEVEL]

From the above figure, it can be interpreted that 33(36.6) of the respondents are illiterate, 28 (31.2%) of the respondents studied up to primary level, 19 (21.2%) of the respondents studied up to the middle school, 6(6.6) of the respondents studied secondary level, 2(2.2) went/goes to college and 2(2.2) went/goes to university.

**Figure 2: Religion of the Respondents**

![RELIGION]

Source: Field Survey 2019

From the above figure, it can be interpreted that 90% are Hindu, 0% Muslim, 3% Sikh, and 0% Anyother.
The figure shows that 87(96.6) of the respondents are Hindu, 3(3.4) of the respondents are Sikhs and none of the respondents is Muslim or any other.

**Figure 3: Category of the Respondents**

![Community Category Chart]

*Source: Field Survey 2019*

The data shows that 56(62.2) of the respondents are from Scheduled Castes, 4(4.4) of the respondents are from scheduled tribe, 19(21.2) of the respondents belongs to the other Backward class and 11(12.2) of the respondents belong to general category. In addition to this, majority of the respondents i.e. 61.1 percent were found living in the Kaccha Houses, whereas, few i.e. 21.2 and 17.7 were having semi-Pacca and Pacca respectively. The data also highlighted that 14(15.5) of the respondents lived in rented house and 76(84.5) of the respondents lived in their own house.

**Role Of Women in Decision Making**

From the survey, it was found that majority of the respondents i.e. 67(74.5) told that they as women could not participate in the decision making of family affairs. It was the male community that play main role in the decisions making process.

**Difficulty in Higher Education**

The state government does not provide any educational opportunities for West Pakistani Refugees. These Refugees lacked the right to education in higher education and other technical courses in the state of J&K. Due to this; there was high rate of dropout at lower stages also. The first generation of these refugees is almost illiterate with very a few having studied up to middle class. The denial of higher education coupled with lack of any reservation in the central or state government services keeps them unemployed and affects their livelihood badly. The majority of the respondents i.e. 86(95.5) told that they had difficulty in getting admission in the higher educational institutions in the state while 4(4.5) of the respondent had not faced any difficulty. With this neglect, they were also unable to get any educational scholarship from the government of Jammu and Kashmir.

**Occupation**

The above data revealed that out of 90 respondents 23 respondents worked in agriculture, 4(4.5%) of the respondents had their own business, 9(10) of the respondents had worked in private sectors, 35(38.8) of the respondents had worked as labour, 19(21.2%) of the respondents were unemployed...
and no one worked under government because of the special status to the state of Jammu and Kashmir. Currently, it was be found that out of total 90 respondents mostly 48(53.4) respondents were highly dissatisfied with the job, 27(30%) of the respondents were simply dissatisfied, 12(13.3) of were satisfied and only 3(3.3) of the respondents highly satisfied.

**Monthly Income**

In case of monthly income, Out of 90 respondents 45(i.e. 50%) told that they had 1000-2000 monthly income, 7(7.7) had 3000-4000 monthly income, 11(12.3%) told that they had 5000-6000 monthly income,5(5.5) of the respondents told that they had 7000-8000 monthly income, 3(3.3) of the respondents told that they had 9000 & above monthly income while 19(21.2) of the respondents were unemployed and they had nothing monthly income.

**Property Before displacement**

The observation revealed that all the respondents told that they had their own property before displacement. But they left all the moveable or immovable property due to the communal disturbances which occurred in 1947. And after the displacement, out of total 90 respondents, 57(63.5) of the respondents could not own the livestock, 14(5.5) of the respondents had cow, 13(14.4) of the respondents had buffalo while 6(6.6) had any other live stocks.

**Basic Facilities: Primary Source of Water Supply**

The study highlighted that in case of primary source i.e. water supply, out of 90 respondents 29(32.2) of the respondents had their own house connection of water, 37(41.2) of the had hand pump, 6(6.6) had the combination of house connection, handpump, dug well etc while 18 (20%) of the had public tab or neighbour. Though, it was observed that all the respondents had electricity connection.

**Other Benefits given by government**

The data shown that out of 90 respondents 55(61.2) used to get ration benefit from the government while 35(38.8) could not get any benefits from the erstwhile state government (Jammu & Kashmir) like ration, cash, land etc. The data shows that all the respondents did avail cash loan.

**Acquisition of Permanent Resident Status in Jammu & Kashmir**

The study revealed that all the respondents could not get the state subject certificate or become the permanent members of State i.e. Jammu & Kashmir. This according to was caused by the special status of the state of the Jammu and Kashmir. And the villages of these refugees were politically excluded within the state as they could not participate in the Gram Sabha or State assembly. All the respondents did not enjoy any voting rights in the state i.e. Elections of state legislative assembly, Panchayats and Municipality elections. Though, these people were not the permanent member of the state but in case of central elections, all of them take part in the Central elections. They are the citizens of India but not the citizen of the state of Jammu and Kashmir.

**Role of Central Government in Facilitating their Rehabilitation**

Out of 90 respondents only 34(37.7%) were satisfied and 20 (22.3%) were highly dissatisfied about benefits provided by the central government also. Thus, 36 (40) of the respondents showed their dissatisfaction over the matter. Eighty percent of the West Pakistani Refugees were found from lower castes comprising of Scheduled Caste, Other Backward Castes etc. Without being permanent residents, their socio-economic and educational status was not also considered for special benefits.
conferred for these classes in the state. No benefit of the reserve category was availed to the West Pakistani Refugees of J&K state. According to the figures, majority of WPRs belonging to scheduled castes were debarred from benefit by J&K government. They could not get any benefit from state sponsored schemes which are there for scheduled caste and scheduled tribe.

Roe of Civil Society and People of J&K towards the Refugees

The role of the civil society towards the west Pakistani refugees was not found relevant and effective also. Though, 46 (51.2 %) of respondents, expressed about its positive role but half of the people also expressed their resentment regarding its function.

CONCLUSION AND SUGGESTIONS

Due to a huge bloodshed and violence, fear of death and destruction unleashed by political chaos and communal clashes, West Pakistani Refugees migrated from West Pakistan to Jammu and Kashmir State. Unemployment, loss of income sources, inflation and reduction in actual wages made women and children more vulnerable to the evils of suffering as were even forced to sell their jewellery and valuables assets. There was undernourishment, malnutrition and child marriage among children aged between 10-14 years. This was done to save them to a certain extent from sexual abuse and exploitation. Displacement adversely affected the socio-cultural life of these displaced people. Due to psychological and financial constraints the celebration of festivals, marriages, social functions or other rites and rituals was severely affected. After migrating to Jammu and Kashmir, the West Pakistani People had to face sense of statelessness. For various socio, economic and political reasons, they could not get the status of permanent Residents. According to Wadhwa Committee Report, 2007, there were 5764 families of these refugees in 1947 which later as par West Pakistani Refugee Action Committee reached to 19960. Despite efforts made by these committees, no official record was maintained or measure made for their rehabilitation by the government.

The West Pakistani Refugees were allotted land only on temporary basis. All were found landless without permanent resident certificate. These refugees due to lack of permanent residents status could not buy and own land other than the allotted in any part of the J&K state. The West Pakistani Refugees were ineligible to represent them in the state or local governance of J&K. The lack of political representation at state or local level made them feel alienated, insecure and without identity. An organisation called West Pakistan Refugees Action Committee was succeeded in pushing the state government for issuing Domicile certificates to some West Pakistani Refugees only in 1947. Though, West Pakistani refugees Action Committee meetings are actively attended only by the old people.

The new Kashmir manifesto, 1944 and instrument of accession including Articles 370 and 35A as measures of responsible government were not contextually implemented and adapted. These were not reshaped and utilised for the upliftment of various vulnerable sections especially West Pakistani refugees, Ghurkhas, Valmikis etc. Their demand for right to permanent resident certificate was seen as a threat to the special status by the majority in the state. While holding special constitutional powers to define the permanent residents, the state government convert the West Pakistan refugees into the Permanent Resident. Unlike other migrants of J&K or India, these were unable to enjoy the basic rights under the state constitution. There had been no consensus ever made between government and opposition to grant them the basic rights through adaptation and modification to the existing laws. Their affinity with Hinduism or Sikhism was considered always
opposite to majority interest. The amendment in the existing laws to include West Pakistani Refugees and other groups could prevent the initiatives of abrogating the article 370 and 35A. The laws should have been amended to include the West Pakistan Refugees in the list of citizens. Their names should be registered in the State voting list for their participation in the State Assembly and Panchayats elections. An official record was required to be prepared for availing them job opportunities or various other purposes i.e. availing Domicile certificates. Like the refugees of POK, an equal benefit could be given to them also. In not allowing them the permanent Resident status, the centre could also shift them to other neighbouring states of country i.e. Himachal Pradesh, Punjab, Haryana, and Delhi etc for advocate treatment. Due to their socio-economic and educational backwardness, these communities also deserve reservation in education and employment in both State and the Central services. A separate central Government Department or a Relief Commissioner/ Nodal Officer was needed to initiate special schemes for their economic security i.e. Scholarship, free ration, housing facilities etc. Discarding all the available options to accommodate created a deep resentment among these groups and also paved a way towards abolition of special status of the state and its reorganisation into a new Union territory.

ENDNOTES

3 Kumar, R. Refugees Protection in India with Special Reference to the Role of the United Nations High Commissioner for Refugee UNHRC.(Doctoral dissertation, Lucknow University). Retrieved from http://hdl.net/10603/88817
6 Sharma, P.K. op. cit. 28-29.
8 Aditi, J. op. cit. 2.
13 Sharma, P.K. op. cit. p.107
14 Tremblay, R.C. op. cit. 92.
15 Aditi, J. op. cit. p.4-5.
21 Nargotra, S. op. cit. p.79
22 Bhat, S.A. op. cit. 1-5
23 Bhat, S.A. op. cit. pp.1-5