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Naya Kashmir, land reforms and colonialism in Jammu and Kashmir, a study of national conference and its implications on the identity of state

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Abstract

This article dealing with studying the state of the economic division and disparity associated with the state of Jammu and Kashmir during the most two regressive and the oppressive rules of the time, Firstly by the Britishers and then under the dogra regime of the Hindu rulers. The paper is associated with the findings on how the minority population of the state viz. Hindus ruled over their fellow subjects i.e., Muslims and controlled whole of the state for a long time and became in possession of such large land holdings. Besides this, the article is associated with the land reforms system, land distribution management and thereby giving valuable information in terms of the land distribution system of the state and how land reform movement of the state revolutionized the state economy and how it brought it into new look and who was responsible for transforming the State's feudal system into Agrarian one.

Keywords: Agrarian, Agricultural, British, Colonial, Dogra, Exodus, Geography, Hindus, Independence, Income Volatility, Land Reforms, Peasantry, Revolution, Treasury, Vulnerable.

1. Introduction

The economy of the state being high cost mountainous economic region and that causes the state a number of developmental challenges. The most vulnerable challenges to state economy are natural disasters, external events and highly unequal geographical locations which are causing highest volatility in states domestic production and resulting in the weak economy of the state.

Remoteness, isolation, limited capacity, income volatility, excess to external capital, limited diversification, susceptibility to natural disasters and environmental change are some of the challenges which not only have ruined the state economy but also have made it handicapped. The economic composition of the state mainly depends on governmental subsidies and massive external supplies. The state's most population is agricultural dependent. Not only in the current context, was the state's economic stability from the very beginning very less secure and mainly dependent on governmental side.

2. Importance and Scope for studying

The state of Jammu and Kashmir has been known as a backward one from the very beginning and many experts are expressing different views about the state's backwardness, economic disparity and regional imbalance. The State is a composition of three different geographical locations and two regions, i.e., Kashmir and Ladakh are suffering a lot due to geographical isolation and natural discomfort. The state has been a prey from the very beginning and had been under several colonial or forced occupations. Most target among them were the state's economic sectors, which was mainly a huge giant of agricultural production.

3. Objectives

- To study the economic composition and disparity of the state during the oppressed rule.
- To study the management of distribution of land reforms and land holdings.
- To study the role of land reform movement in revolutionizing states agricultural sector.

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- To study the role of National Conference in reforming the State's Jagirdari system and taking it towards new millennium by the introduction of 'Naya Kashmir' or manifesto of new kashmir in other words.

4. Literature Review

Rai, Mridu (2004) *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*. Disputed territory, a contention of war between the union of India and Muslim republic of Pakistan contains a huge Muslim majority population. The book *Hindu Rulers, Muslim Subjects: Islam, Rights and History of Kashmir* by Mridu Rai is a brilliant publication by the author on Kashmir history and a pioneering historical study of rights, religion and regional identity of Kashmir. The book is a major contribution for taking study on Kashmir. The book not only deals with historical facts but it also studies colonial period in Kashmir. The publication is totally clear in terms of the socio-economic division of kashmir during the colonial period and clearly tells us that how the state economy was ruined and how the state treasury was almost made empty and the author on Page No. 145 clearly mentions it and tells us how the dogra ruling class of the state used the illegally retained property and wealth for their personal use and also for spreading the dogra kingdom and the book tells us about how Kashmiri Muslim subjects had become so enmesh in defining the protest of Kashmiri Muslims against Hindus. The book deals with the emergence of modern Muslim identity and book mainly focused in the problems of religion, politics and protests in Kashmir.

Behera, Navnita Chada (2006) *Demystifying Kashmir* is a most important book which contains most of the information about the Kashmir and the book was helpful in almost all matters particularly the violence, human rights abuses, Dogra rule, colonialism, culture, regions of Kashmir and kashmiri Pandits. Traces Kashmir history from pre partition India to the current-day situation. Provides an analysis of the philosophical underpinnings and the local, bilateral, and international dynamics of the key players involved in this conflict. Conclusion focuses on the parameters, players, politics, and prognosis of the ongoing peace process in Kashmir.

Nyla, Ali Khan (2012) *Parchment of Kashmir: History, Society, and Polity* is an edited volume of interdisciplinary chapters that address various aspects of political, cultural, and socioeconomic life in Kashmir and this book was helpful in studying the socio-political components of Kashmir.

Wani, Gull (2011) *Kashmir: Identity, Autonomy and Self-Rule*. Apple Books: Srinagar.

The book sufficiently highlights the revolutionary sentiment that evolved as a result of the oppressive social structure regime that ultimately culminated within the emergence of Jammu and Kashmir Muslim Conference in 1932 and that got born again into the All Jammu and Kashmir National Conference in 1939. This era conjointly witnessed the emergence of assorted labour unions just like the Mazdoor Sabha that influenced the formation of Naya Kashmir document that was later on adopted by the National Conference in 1944. This pronouncement formed the content of land reforms from 1947 to 1950. It absolutely was during this amount that the National Conference articulated the notion of Kashmiriyat. The author has superbly summarized the role of poetry, particularly of Mehjoor, within the evolution of Kashmiriyat as a separate identity.

Ganaie, Nasir Ahmad. *Hindu Socio-Religious Reform Movements in Jammu and Kashmir*:

Pre-independence phase, *Asian Journal of Multidisciplinary Studies*, Volume 3, Issue 7, July 2015. In this article the author clearly has mentioned how the state subjects were motivated by the social reform movements of that time particularly by the western impact on education and how their behavior changed towards the socio-political participation. This developmental attitude within the community indulged new behavior and attitude in the state subjects and it was due to these social and religious reforms movements, which made the people of the state more attentive towards the newly formed government and new concepts within the state like the newly inducted one of "Naya Kashmir" manifesto by the leading political party National Conference of the state.

Economy of the Jammu & Kashmir during Colonial period

The state economy during the colonial period was too weak and suffering from several challenges and the economic sector almost being burning in each and every aspect. The state being agricultural in nature and abundantly rich with various sources of nature from each and every aspect, but the state economy was ruined by the Dogra rulers and almost they spent every part of economic value on their kingdom expansion and personal use rather than strengthening the state economyⁱ and this can be further simplified by a writing of the state ministers of that time in year 1885; that the public treasury was almost empty and the letter also stated that maharaja had diverted regularly the revenue collection of certain districts to his private chest some part of it was devoted for religious purposes. Moreover he had been told that Ranbir Singh had "solemnly enjoined that this money never be used to meet the current expenditure of the state."ⁱⁱ The Hindus were the main landlords and were in possession of the major holdings of the land in the state. They were economically rich and sound from the very beginning but had got a severe setback at the time of introduction of land reform movements. Sheikh Abdullah was the main leader who was favoring land reform movements in the state and wanted to distribute it equally among the peasants. Due to this land reform revolution an exodus started among Hindus who had to surrender their huge occupied lands and during this period the Hindus had left for Jammu and started to settle there.

In an interview with Abdul Samad Jooⁱⁱⁱ, the person revealed that the land distribution in the state was not according to the aspirations of the people of the state, the land was disturbed among those who were already tillers of the huge land and poor and small farmers were given less priority and in case same part of land was distributed in them they had to paid for it.

Naya Kashmir (New Kashmir)

A memorandum raised by the then popular statesman and one of the famous political revolutionist of the state of Jammu and Kashmir Mr. Sheikh Abdullah, the top bras leading political and social activist and the leader of the then most popular and dominant political party National conference brought into action a new concept of "Naya Kashmir" literally meaning New Kashmir. Sheikh Abdullah placed this concept before the then ruler of the state shri Maharaja Hari Sing in the year 1944.^{iv} It was the define of an

idea to convert the Jammu & Kashmir state from an absolute autarchy to a constitutional democracy with the Maharaja remaining head of the State because the Monarch is in Great Britain. The state of Jammu and Kashmir has been under dominant control of the Hindu subjects and how they controlled the main areas of the state through their imperialistic rules despite the minor in number and how they controlled the majority population of the state,^v despite being the second largest population of the state. An in depth economic set up for the event of Jammu and Kashmir State was a section of this memo. It absolutely was later on adopted by the National Conference as its manifesto.^{vi} The "Naya Kashmir" set up proved to be vastly fashionable in Kashmir because it was the blueprint for a welfare state so much before of its times.^{vii} The concept of Naya changed the outlook of the state politics and they started indulging in various welfare activities and laid stress on the welfare and upliftment of the poor and the down trodden sections of the society as par with other sections and neighboring states. The influence and dominance of the Naya Kashmir concept is still there as the former prime minister of India Dr. Manmohan Singh recently while addressing the Convocation Speech at the University of Jammu on 15 July 2007 had said: *"My vision, I have stated many times before, is to build a Naya Jammu and Kashmir which is symbolized by peace, prosperity and people's power. You are all the real stakeholders in the future of Jammu and Kashmir, and it is only through your energetic participation that a Naya Jammu and Kashmir can truly be built."*^{viii}

The concept was now in full swing and soon after its emergence it started working on various developmental and welfare works, especially the marginally and economically down trodden sections of the society. The plan started working on the women upliftment and gender bias and took the main side of the peasants in the state and started the introduction of land reforms in the state. The abolition of the land lordism and Jagirdari systems were the main components of this new concept and land was distributed among the landless peasants of the state.

Agrarian Reforms after 1948

The National Conference Government came into power in March, 1948. Immediately after coming to power the government declared the abolition of the privileges of muafidars^{ix} and mukarraree-khwar (recipients of cash grant). Further, it gave priority to the reorganization of Agriculture on a modern and rational basis, through the abolition of landlordism, securing the land to the tiller and the formation of cooperative associations. These steps were taken to free the peasants from the burden of the parasitic Jagirdars and Kardars. Besides, waste lands were granted to tillers for cultivation, a moratorium was declared on non-commercial debts and ejection proceedings against tenants were stayed for a period of one year. Towards the end of 1949 a land reform committee was appointed by the government to submit a detailed plan for the reorganization of agriculture in the state.

Wazir Committee Recommendations

In order to review the working of Land Reforms in the state, the state government appointed a Committee under the chairmanship of Justice Wazir in 1952. The commission submitted its report with the following main recommendations:

First, the maximum unit for a proprietor in Kashmir should be fixed at roughly 28 acres and in Jammu at 34 acres against the prevailing unit of 22.75 acres; and Secondly, lands attached to Buddhist religious institutions in Ladakh called Gumpas, should be excluded from the operation of the Act. Subsequently a series of legislations was passed to remove the flaws present in the previous legislations in order to give more and more rights to the tenants, to impose restrictions and to make the resumption laws stringent. In 1965, all non-occupancy tenants admitted after 1955 were deemed to be protected tenants provided that the land held by them did not exceed two acres of wet land or four acres of dry land in Kashmir province and four acres of wet and six acres of dry land in Jammu province. An owner whose holding did not exceed four acres of wet land or six acres of dry land in Kashmir province and six acres of wet land or eight acres of dry land in Jammu province was permitted to resume land up to the above limit. By the imposition of these laws large areas of cultivated land were transferred to the state after the expropriation of landlords, which was to be distributed among the landless agricultural labourers and displaced persons from time to time. From the 1967 Kharif season, all holdings subject to land revenue up to Rs 9 were exempted from its payment. In case a tenant fails to cultivate his land without sufficient cause for more than one year, his right of occupancy or protected tenancy is deemed to have extinguished from the end of the year.

The Jammu and Kashmir Agrarian Reforms Act

The Act came into force in May 1975, with the following important provisions:^x

1. Vesting of ownership rights of land (excluding orchards) held by owners and intermediaries who are not in its personal cultivation to those who held such land in personal cultivation on September 1, 1971.
2. Imposition of a ceiling of 100 standard Kanals (12.5 standard acres) and vesting of all land in excess of this ceiling with the state.
3. Payment in lieu of all land vested with the state as a result of 1 and 2 above at rates specified by the Government.
4. Provision for resumption of land by any intermediary or absentee landlord on certain specified conditions.
5. Full compensation for evacuee lands.
6. While there is no ceiling as such on orchards, an annual tax has been imposed on such portions of an orchard, which exceed 12.5 standard acres at the rate of Rs 800 per standard acre.
7. A standard acre has been defined with reference to various kinds of soil in irrigated and un irrigated areas. The above provisions of the 1972 Act removed some of the flaws present in the previous legislations and redefined the ceiling limit. Thus if the ceiling imposed on the basis of the above provisions is converted into local acres for different areas it falls in the range of 9.09 acres to 22.22 acres. Subsequently rules were framed for the implementation of the above provisions and the whole state has been divided into 305 circles, each circle comprising a few patwar halquas. The implementation programmes maintained some momentum till late 1974 but in early 1975 the State experienced a political change, the incoming of the Sheikh Abdullah Government. The new government stopped the implementation process on the basis of the

representation which it received from different sections about the hardships faced by landlords as well as tenants and ordered a thorough investigation into the implementation of the 1972 Act.

5. Findings

- The Jagirdari system was abolished and land was distributed among the landless people.
- The Hindus despite the less population were big landlords and were in possession of abundant properties.
- The national conference lead government soon after assuming the office of power under the leadership of Sheikh Abdullah had started on working the abolition of Jagirdari system and brought into place the “Naya Kashmir” (New Kashmir) manifesto.

6. Conclusion

Soon after the independence and the accession of the state government with the union of the India, the sheikh Abdullah^{xi} led government started working on land reform movements in the state and this party in power in the state started land reform movements as its basic aim. They abolished several taxes besides the Jagirs, Muafis and Mukkaarraries.

The prime minister of the Jammu and Kashmir, Sheikh Abdullah^{xiii} started transforming state into the Agrarian state by protecting the rights of the tenants through amendment of the state tenancy act of 1924 and land reforms in the state were also seen as correcting a historical wrong against the peasantry and were one of the most important promises of the national conferences new kashmir manifesto. Slowly and steadily the national conference government became successful in reforming the state lands and tried its best to distribute land among all the sections of the society and among the landless peasants. This is clearly seen in Figure 1 and it shows how much land was transferred from year 1951-85 to the tillers through these reforms:

Table: Land Transferred to Tillers in J&K from 1951-52 to 1980-85

S No	Year	Land Transferred (in Acres)	Number of Tillers	Number of Beneficiaries
1	1951-52	92,927	30,418	2,98,922
2	1952-53	66,755	50,189	1,70,165
3	1953-54	36,619	32,260	1,15,831
4	1980-85	1,06,000	3,08,000	5,38,000
Total		3,02,301	4,20,867	11,22,918

Source: Directorate of Information, Srinagar, 1993: 127. (Figure 1)

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ⁱ Rai, Mridu. *Hindu Rulers Muslim subjects-Islam, Rights and history of Kashmir*. Princeton University Press, United States of America, 2004, Page No. 145.

ⁱⁱ Letter of kashmiri resident to the secretary of the government of India, Foreign department, dated 16th September, 1885, reproduced in William Digby, page 132-7.

ⁱⁱⁱ Interview with Abdul Samaj Joo, on 27th, March, 2015, 4:15 PM at his residence in Shopian.

^{iv} *Tehreek e Hurriyat e Kashmir* vol. 2, Page No. 311.

^v Ganaie, Nasir Ahmad. *Hindu Socio-Religious Reform Movements in Jammu and Kashmir: Pre-independence Phase*, Asian Journal of Multidisciplinary Studies, Volume 3, Issue 7, July 2015.

^{vi} *Tehreek e Hurriyat e Kashmir* vol. 2, Page No. 311.

^{vii} *Tehreek e Hurriyat e Kashmir* vol. 2, Page No. 379.

^{viii} <http://pib.nic.in/newsite/erelease.aspx?relid=29167>. 13 December, 2015.

^{ix} Muafis were of two kinds-religious and non-religious. In religious Muafis one-third of the amount of the land Revenue was received by the Muafidar in cash and two thirds in kind. In the case of non- religious Muafis, the whole of the assigned land revenue was received either in cash or kind or both. The Government totally abolished the non-religious Muafis and also terminated the right to receive the assigned land revenue in kind in respect of Religious Muafis.

^x SRO- 101 dated the 6th March, 1973, Government of Jammu and Kashmir, The Jammu and Kashmir Government Gazette Extraordinary, Vol 85. No 48, Part III.

^{xi} According to Alastair Lamb, Sheikh Abdullah became head of the J&K Emergency Government on 29 October, 1947 (with the title of Chief Emergency Administrator), with Bakshi Ghulam Mohammed as his deputy and Mirza Afzal Beg as a minister. This Emergency Government, however, continued to operate under the general supervision of the prime minister or Diwan, who until March 1948 remained Mehr Chand Mahajan (Lamb 1992:144-45). According to Khushwant Singh, Sheikh Abdullah was appointed Director General, Administration– The First Kashmiri Muslim to hold this post (Abdullah 1993: 97).

^{xii} The chief minister of Jammu and Kashmir was earlier designated as prime minister. However this was changed When the constitution of Jammu and Kashmir (6th amendment) Act, 1965 was passed on 10th April 1965.