



Kashmir Pandits: Militancy, Migration and the Question of Resettlement

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Abstract— Thirty years have already passed ever since the Kashmir Pandits were driven out of the valley. The high tide of militancy in the valley in 1989-90 made life difficult for the Pandits to migrate to Jammu. To escape the militancy-related aggression, they found their destiny cramped in makeshift tents in different refugee camps and later in the govt-given one room tenements (ORTs) at the outskirts of Jammu. Being an enterprising community many Pandits gradually reorganized themselves exercising their unique existential grit the 'courage to be'. The abrogation of Article 370 in 2019 by the current ruling dispensation at the centre seems to have engendered some hope of possible return for the Pandits to rebuild their deserted houses in the valley. But the growing resentment in the valley over the removal of Article 370, curfews, seizure of communication, prolonged lockdown for covid pandemic and poor economy and its angry political leadership and their Gupkar confederacy and the bouts of militancy complicate the environment appearing antithetical to possible resettlement of the Pandits in the valley. Therefore, this article examines the causality and the consequences of the event of mass migration of the Kashmir Pandits from the valley in 1989-90, and the Pandit destiny being refugees locked in the camps and later ORTs at the outskirts of Jammu, and the Pandit aspiration of return as they hold the right to return and exercise their autochthonous claim, and the need for an inter-community dialogue for peaceful coexistence.

Keywords— Kashmir Pandits, exodus, militancy, refugee, inter-community dialogue, resettlement

I. INTRODUCTION

The exodus of the Kashmir Pandits from the valley in the 1990s was numerically the seventh in the history of exodus of Pandits. After the tragic death of Queen Kota, the last Hindu queen of the Lohara dynasty in 1339, there began Islamic rule in Kashmir. The multicultural mosaic of Kashmir gradually experienced bottleneck. Religious orthodoxy and cultural exclusivity started germinating in the land which was known for its cultural openness and free exchange of ideas. Religious bigotry coincided with conversion, which was encouraged by Sultan Sikandar (1389-1413), Malik Saif-ud-Din and Shia and Sunni combined such as the Sayyids, the Magreys, the Chaks and the Dars, the Mughals and the Afghans. T N Madan explains Sikander's bigotry "a handful of Brahmins survived in Kashmir at the time of Sikander's death in

1414" (2008,19). Islamic rule primarily under Aurangzeb's Kashmir and more specifically under his governor Iftikar Khan (1671-75) further experienced conversion of Hindu population into Islam. They suffered atrocities both physical and cultural (Jagmohan 2019, 55). The martyrdom of Guru Teg Bahadur (Singh 1967; Fenech, 1997) for his daring defiance of Aurangzeb's challenge to convert the Kashmiri Pandits speaks loudly of the religious fundamentalism in medieval Kashmir.

Rahul Pandita, a Kashmiri Pandit, writes, "During Aurangzeb's rule, which lasted for forty-nine years from 1658 onwards, there were many phases during which Pandits were persecuted. One of his fourteen governors, Iftikhar Khan, who ruled for four years from 1671, was particularly brutal towards the community" (2013a,19). Jyoti Bhusan Dasgupta also highlighted the

discriminatory tendencies of the Islamic rulers prior to Aurangzeb, “Kashmir passed into the hands of the Muslims in 1339, but effective Islamization of Kashmir had to await the reign of Shikandar (1389-1413). Here also a small but significant minority group, the Kashmiri Pandits, survived the onslaught of Islam” (1968, 38). This explains the quantum of atrocity unleashed on the Pandits under the Muslim rulers barring a few exceptions. The exception includes Zain-ul-Abidin (1420-70), the son of the zealot Sultan Sikander. He could assuage briefly the pain of Pandits and other communities adopting more tolerant and inclusive posture (Jagmohan 2019). The brief spell of inclusivity and adjustment disappeared; and the subsequent rulers followed their predecessors other than Zain-ul-Abidin. However, the Hindu subjects under the Muslim rulers in Kashmir experienced mostly the threat of conversion and extensive proselytising activities. The proselytising process which began by Bulbul Shah in 1302 (Hussain 2021) gained acceleration with the ascension of Shah Mir to the throne of Kashmir in 1339. It goes without saying that the speed with which the conversion to Islam that continued over a period of 400 years until Ranjit Singh annexed Kashmir post the Battle of Shopian in 1819 has made the valley a home to 97% Muslims now (Dutta 2019). This dramatic change of demography in Kashmir simply demonstrates the difficulties other communities experienced to safeguard their faith and identity. The gory details of conversion under Muslim rulers have been very prominently demonstrated in the Persian works *Tohfatu'l Ahrbab*, the biography of Shamsu'd-Din Muhammad Araki, (an Iranian Shi'a missionary of Nurbakhshiyyeh order), who visited Kashmir around 1478 and *Baharistan-i-Shahi*, a Persian chronicle with anonymous authorship, offers a meticulous account of the activities of the Baihaqi Sayyids of Iranian origin in the affairs of Kashmir until 1640 A D (Pandita 2009&2013). After Kalhana, the author of *The Rajatarangini* (1148-58), the tradition of the writing the deeds of the kings of Kashmir was taken up by Jonaraja (1398-1459), Srivara (1459-1486), Prajyabhatta (1486-1513) and Suka (1613-1638) (Bhatta, 2015). They too have given indications of religious bigotry which disturbed the cultural eclecticism of Kashmir.

The presence of islet of 'Batmazar', literally means 'the graveyard of Pandits' (Mitra, 2017:137), in the famous Dal Lake, Srinagar, bears testimony of the most heart-wrenching cruelty inflicted upon the Pandits. With the rise of Islamic militancy in 1989-90 aided by the cross-border aggressive ideological transmission taking advantage of weak central leadership, the seventh and the seemingly final exodus of the Pandits happened. Jagmohan

clearly states the political undercurrents which facilitated the exodus:

Benazir Bhutto, Amanullah Khan and their workers were hurling their propaganda missiles from the other side. Dr. Farooq Abdullah was coining his worst invectives to incite Kashmiri Muslims against me. New Delhi was emitting incompatible signals. Most of the political parties were resorting to intentional falsehood. (2019, 31-32)

The Pandits who become progressively smaller in number experiencing exodus for six times prior to the one in 1989-90 were flushed out of the valley and became refugees in their own country. Christopher Snedden explains the Pandit reality:

Kashmir has also always had a small, but significant, community of Hindus, called Pandits. In 1947, these Hindus amounted to about six per cent of the Kashmiri population. However, since disenchanted Muslim Kashmiris began their anti-India uprising in the Kashmir Valley in 1988, many Hindu Pandits have left Kashmir. They now live as refugees in the neighbouring region of Jammu, to Kashmir's south, and in India. (2015, 22)

Their safe return to their ancestral land and their real home has not yet been legally ensured. They continue to be a suspended minority uncertain of their claim over their own land. Instead of ensuring necessary justice to the Pandit community, the propaganda machinery in India and outside spread misinformation and untruth. Rahul Pandita expresses his dissatisfaction over such callous spread of untruth, 'In the last 23 years many untruths have been spoken about the pandits who were killed. One of them is that only those who worked with the police or intelligence agencies were targeted. The truth is that doctors, nurses, professors, teachers, scientists, shopkeepers, the unemployed, and even children were killed, in many cases at the behest of their own friends, colleagues or neighbours' (2013b, 153). G L Pandit calls them forlorn, 'the community is treated like a forlorn child, forgotten and abandoned after last storm of 1989-1990 when it was forced to disperse under cover of darkness' (2006, 159).

In 2019 the Government of India abrogated Article 370 (which guaranteed special status to Kashmir) of Indian Constitution and by this piece of legislation there emerges a hope of possible return of the Kashmir Pandits to the remains of their skeletal houses in Kashmir. Sudha Ramachandran expresses pessimism over the possibility of return by the Pandits by saying "that life of tranquillity which they remember so fondly doesn't exist

anymore in Kashmir” (2020). This kind of pessimism sounds immaterial especially in the context of return of the Pandits to the valley. Kashmir is their homeland. It is ancestrally their own. R. K. Matto, a Pandit leader settled in Bangalore, argues in an interview, “Kashmir belonged to us. We are the original inhabitants of Kashmir” (Nandakumar, 2019). They have the right to reclaim their homes and heritage as and when they find it proper. The choice is left to them when to return. But an atmosphere needs to be created to make them feel safe and mentally inclined to return. It would not happen dramatically. It would be gradual. The abrogation of Article 370 is an attempt towards clearing one legal barrier for the possible return of the Pandits. But there is a greater need for healthy socio-cultural dialogue between communities to make the process of resettlement easier and more rooted. For a secure and firm resettlement, an inter-community bonding and affectivity is essential. An attempt in this direction is inevitable.

II. EXODUS

In 1987 Farooq Abdullah and the Congress Party decided to form an alliance to contest in the state election. This opportunistic alliance proved to be a failure as the elections were ‘profoundly compromised and contributed to widespread disenchantment among the local population’ (Ganguly et al. 2003, 3). This crisis gave the much-needed impetus to the militants to unleash ‘an ethno-religious insurgency in 1989’ (Ganguly et al. 2003, 3). The kidnapping of Rubaiya Sayeed (daughter of Mufti Mohammad Sayeed, then the Home Minister of V P Singh govt) by the members of Jammu Kashmir Liberation Front (JKLF) on 8 December 1989 exacerbated the political situation in valley. She was freed following the release of five militants imprisoned in India (Jagmohan 2019; Ganguly 1997; Datta 2017). This act of compliance shown by the Indian govt seems to have emboldened the militant determinacy to wreak havoc in the valley. By resorting to these ventures of violence and acts of terrorism, the insurgency in Kashmir lost ‘its pristine features and had become an externally supported, religiously oriented extortion racket’ (Ganguly et al. 2003, 3; Blank 1999). The episodes of horror then ensued. The situation in the valley got exacerbated by a select killing of eminent personalities from the Pandit community. These sample killings spread shockwaves of fears in the valley primarily among the Pandits and other residual minority communities: ‘The memory of gunning down of Tikalal Tapiloo, Lassa Kaul, Prem Nath Bhat and dozen others were still fresh’ (Bamzai 1994, 860). The last residue of trust which they had on the local law enforcing agencies such as the police got

deteriorated as they witnessed their open cooperation to the militants: ‘Everyday while peeping out of their windows they saw hundreds of gun toting terrorists walking fearlessly on the streets and in many cases being saluted by the local police’ (Bamzai 1994, 860).

To add to that terror the amplifying voices of threat from the mosques meant for the Pandits to vacate the valley at the earliest and killing of those who expressed a hint of resistance forced the most rooted and revered community to flee from their home. The very fact of leaving home was not easy. They left with a hope to return. Even today they have not been able to reclaim their homes and their heritage. Maroof Rajacalls this ‘a deliberate policy of ethnic cleansing’ (1996, 74). Alexander Evans’ statement on exodus in Kashmir decodes the militant agenda of Islamisation of the valley: ‘While elements of the militancy certainly had an agenda of deliberate and enforced Islamisation, large segments of the militancy (the JKLF, for example) actively claimed to speak for all Kashmiris regardless of religion’ (2002, 21). A structured attack on the Pandits was unleashed to cleanse the valley of the Hindus in order to build a nation along the strong ideological lines preached by Pakistan. The utopian enchantment of freedom spiced with religious doctrine of oneness and exclusivity intoxicated the Muslim majority in the valley to masquerade ignorance against the atrocity inflicted on their Hindu neighbours.

The Pandits found the imposition of unnecessary Article 370 after the Independence of India an anti-Pandit legislation. It didn't guarantee their protection. They became the easy prey to the rising Islamic fundamentalism in Kashmir. Many bowed to the dominant cultural monolith and got digested and those who resisted had to face violence. Rekha Chowdhary writes, ‘Jamat had been generating its sphere of influence through the network of schools attached to mosques, known as Madrasas. These schools have been responsible for the Islamisation of rural society and ingraining a secessionist ideology in the common sense of the youth in particular’ (1998: 23). In Kashmir ‘there are more than 260 madrasas active in the state but only 58 of them are registered with the State Board of School Education. Students studying in the other madrasas are getting only religious education’ (Qamrain, 2015). The objectives of madrasas in Kashmir as explained by European Foundation for South Asian Studies (EFSAS) are largely ‘promotion of the Ghazwa-e-Hind philosophy, the dehumanization of non-Muslim civilians, the transgression of moral boundaries, the introduction of military training into the curriculum alongside with the generation of support for active terrorist groups by providing safe havens for their lectures and recruitment process’ (EFSAS, 2019). This and a host of other factors

quite radical in nature moved the valley in the direction of 'radical Islamisation' (Chowdhary2019, 95). Therefore, the 'gun culture, ban on cinema halls and beauty salons, restriction of mobility of women and their visibility in the public places' became increasingly real (Chowdhary2019, 95). Secessionist ideology seems to have found the best ground for its promotion in Madrasas. Anti-India tendencies are disseminated through Madrasas in the valley in order to create a sense of dislike for the Pandits. The secessionists felt strangely empowered by the existing legal cover i.e. Article 370. Article 370 isolated the Pandits. They saw in article 370 an attempt to appease the Muslim majority in Kashmir (Jagmohan, 2019). It exposed them to the most obvious racial and religious attacks. Mitrawrites, 'Article three-seventy has destroyed us. We are neither Kashmiris nor Indians. We are stateless'(2017, 230).

Even after the exodus of the Pandits from the valley in 1990, some Pandits decided to stay on exercising courage. The Pandit residue that resisted the threat given by the militants in 1989-90 and stayed on in Kashmir had to face subsequent massacres unleashed by terror groups at Sangrampora (1997), Wandhama (1998) and Nadimarg (2003) (Ramachandran, 2020; Swami, 2003, 44). At Sangrampora, a small village 50 km away from Srinagar, seven Pandits were slain by the militants in March 1997. It triggered the 'second wave of migration' (Baweja, 1997). In such an atmosphere Farooq Abdullah issued 'an ultimatum to the Pandit employees to return or to quit their job' (Baweja, 1997). Again another tragedy occurred during Farooq Abdullah's chief ministership at Wandhama, Central Kashmir's Ganderbal District on 25 January 1998. Twenty three Kashmir Pandits were killed by the militants (*Kashmir Observer* 2016, Swami 2003, 44). The Nadimarg Massacre in March 2003 in South Kashmir killed 24 Kashmir Pandits (*India Today* 2017). The Pandit attempt to stay on in Kashmir and the will to live with the Muslim community even after what happened to them has been constantly aborted by the militants. The Pandit attachment to their home, heritage and land has made their lives more miserable. These series of aggressions against the Pandits explain the greater agenda of cleansing them completely from the valley. Rahul Pandita (2020) calls it 'an Islamist euphoria'.

In Independent India the Kashmiri Pandits without political power became a compliant community. Their obedience to the political and religious elites and the lack of decisive leadership to redefine their minority rights underlined their vulnerability. Hannah Arendt expresses the similar view with regard to the German Jews under Hitler: 'the Jews, because they were an entirely powerless group caught up in the general and insoluble conflicts of

the time...' (1973, 5). In the absence of political power the Jews in Germany became the victims of nationalist aggression. But in Kashmir the Pandit for not having political power became the victims of religious aggression. In spite of having copious evidence concerning the fear and threat under which the Kashmir Pandits lived among their Muslim neighbours, Ankur Datta argues that 'the Kashmir Pandits have inherited a history of having enjoyed a life of a certain quality and status' (2017, 231). Therefore, in his opinion 'the sense of loss among the Pandits must be understood in terms of deprivation relative to their past lives' (Datta 2017, 231; 2011, 296). The history of the Pandit deprivation began with the ascension of Muslim sultans to the throne of Kashmir from 1339 and continued through the rule of the Mughals and the Afghans until 1819 which marked the beginning of Sikh rule in Kashmir which lasted just for twenty seven years (Jagmohan, 2019). Then the Anglo-Dogra combined administration continued until 1947 when Raja Hari Singh of J&K signed the instrument of accession to be a part of Indian Union. From March 05, 1948 to 2019 the Kashmir body politic was completely governed by the Muslim leaders. Not a single Pandit was ever at the helm of Kashmir politics. Datta quotes the anthropologist T N Madan on the question of discrimination against the Pandits in getting govt jobs in 1950s: '... govt jobs have been thrown open to the Muslims on a favoured treatment basis' (2017, 51).

It may be true during the Anglo-Dogra administration the Pandits responded well to the British requirements of the white collar jobs by learning English and got some social prominence. The Muslim communities may have not responded to such requirement as done by the Pandits. The madrasa education though popular among the Muslim communities did not serve the British requirement. The Pandits suffered deprivation during the Muslim rule in Kashmir for over four hundred years in the past and for four decades after the Independence of India. Presumably for a brief period of success during the Anglo-Dogra administration cannot suspend the Pandit suffering prior and post that period into insignificance. It seems immaterial to examine whether the Kashmir Pandits living as refugees now were once privileged or non-privileged or how well they live in camps in Jammu or the magnitude of their suffering or the politicisation of their victimhood or the privilege of being victims. But it is important to focus on the fact that they lived in Kashmir for centuries and were driven out systematically. Therefore, they deserve the constitutional right to return and reclaim their ancestral land as ancestry and heredity determine their right to the land.

The original inhabitants possessed the right over the land. It is their inalienable right. They do not demand exclusivity. They propose to live amicably with their Muslim neighbours under the assurance of mutual respect. This need for reclamation does not thwart the rights of Muslim community. It is an attempt towards living with not living alone. It does not override the rights of others. The traditions of animism, Buddhism, Saivism and Vaishnavism were firmly established much before even the birth of Islam as a religion in the Middle East. The Islamic takeover of Kashmir was a 14th century phenomenon. The Hindus and Buddhists hold the right to revive their traditions from the ruins. History gives identity and rights to a people: 'The original inhabitants of the land have the first right over a place that belonged to their ancestors' (Mitra 2017, 67). No force or community however powerful and coercive can alter the power of history. Shyam Lal, a Kashmiri Pandit refugee, explained Ankur Dutta the depth of Pandit ancestry in Kashmir, 'You ask about our history? We Kashmir Pandits are the original inhabitants of Kashmir and the descendants of Kashyap Rishi' (2017,38).

In Hindu tradition the ancestry of a person is traced back to a Rishi. Kashyap is the primeval Rishi who emptied a lake and carved the Kashmir valley. Every inch of India' geography has a story: 'There is no village in India, however mean, that has not a rich *sthalapurana*, or a legendary history of its own' (Rao 2014, xxxi) Every civilisation begins with a story. The Kashmir Pandits trace their ancestry to the story of Kashyap Rishi. It explains the geographical and cultural rootedness of the Pandits in Kashmir. The depth and the strength of their root determine their claim upon the land.

III. FROM KASHMIR TO THE CAMPS IN JAMMU

Leaving home was not a choice for the Pandits in Kashmir. It was a compulsion. Nirupama Subramanian (2020) explains the nature of that compulsion under the grip of fear: '... as the numbers arriving in Jammu increased from thousands to tens of thousands over the first few months of 1990, a mostly middle-class community found itself living in tents in squalid, filthy camps far removed from the homes they had left behind'. Rajat Mitra quite poignantly explains the pain of leaving home through a conversation between two characters: 'Nobody leaves their homes voluntarily, Javed. What is home can only be torn away from you' (2017, 266). The destiny of being homeless was never a choice for any community in history. It was a compulsion at the teeth of complete annihilation. The land of cultural diversity - animism of the Nagas, Buddhism,

Saivism, Vaishnavism, Bhakti and Islam - was bottlenecked to a variant of militant Islamic monotheism. Riyaz Punjabi explains the Kashmiri psyche towards cultural insularity:

The sharpening of the religious component with a strong militant backing had the perilous effect of perpetuating strife in Kashmiri society and polity. From the very beginning, the Islamist militant groupings introduced a pronounced Islamic character to the militant movement. These groupings, well-organised and well-equipped, projected themselves as the proponents of a grand Islamic state ... (2002, 60)

The camp life for the Kashmir Pandits began in the early 1990. Being displaced from the valley, they came in large numbers and found themselves most humiliatingly in unhygienic small tents and makeshift shelters and govt buildings in Jammu with 'snake and scorpion bites, scorching heat and half a tomato' (Misri, 2019; Blank, 1999). The camps built to accommodate the displaced Pandits were named Jhiri, Gajan Sumud, GSI Transport Nagar, Railway Camp, Labour Sarai, Muthi, Purkhu, Misriwala and Nagrota Camps (Datta 2017,77-78). Some of them were closed when one room-tenement (ORT) were built as the period of displacement prolonged. Some of the camps still exist. The condition in Muthi, Purkhu and Misriwala camps remains pathetic (Datta 2017). To add to the apathy, the materials used in constructing ORTs hardly resist the extreme weather conditions in Jammu during summer which experiences sometimes the temperature of 47 degree Celsius. Ankur Datta (discusses the condition of the ORTs:

They were also built with a 'shelf life' expected to last only for ten years until 2004, and yet they are still inhabited. While the camps are provided electricity and water by the state, the supply is erratic, which exacerbates conditions in the summer. One informant complained bitterly about having to raise children, live, sleep and entertain visitors like me in a single room, which he regarded as 'slow poisoning'. The camps are thus regarded by its residents themselves as a place which does not allow for a life of dignity and respect. (2017, 84-85)

Therefore, Datta calls the camps 'a place of exception' (2017, 71). The Pandits left the valley out of sheer fear. It was a fear of erasure. The story did not end there. The life in camp was terrible. The unhygienic condition in the camp infected children with 'lung diseases and scabies' (Pandita 2013a). Hundreds suffered from stress-induced diabetics, heart disease, hypertension and

depression (Pandita 2013a). The difficulties were unbearable and unending. But the Pandits considered the conditions they found themselves in as temporary. Gradually they realised the larger reality and started moving on with life. No doubt in their effort to move on they have received facilities from the govt (Datta 2017). But nothing compensates the loss of their home and root. Nothing justifies their homelessness. Charity is not justice. The gift of ORTs does not suspend the Pandit demand for a dignified return (Misri 2021). A home away from home is a home and also not a home. The Kashmir Pandits know where is their real home? And certainly one ORT is not a Kashmir Pandit home. To have a concrete shed instead of a tent over their head does not make it a home. Many have reorganised themselves by virtue of their effort, talent and some by the help given by the govt. But still there are a lot that live in the ORTs and crudely-built asbestos houses. The Pandits should be given the choice to decide the fact of their return. For instance, even if a few wish to go back, they should be given the necessary security to relocate. It is natural, if the prerequisites are provided, many would happily return. Saul Bellow in the context of Jerusalem wrote: 'Elsewhere you die and disintegrate. Here you die and mingle' (1998, 10). This emotive factor attached to a piece of land one is born to and inherits cannot be brushed aside.

More importantly, the Pandits have shown exceptional courage in staying calm at the teeth of unspeakable difficulties and prolonged homelessness. They have never taken law into their hands and have never expressed their will to revenge even though they have been singularly targeted for several reasons and for several times. Rahul Pandita (2020) explains the resilience and restraint exercised by the Pandit community post 1990. They have neither taken up the guns, nor killed anyone, nor burnt houses of Muslims as a form of reaction against the suffering they went through (Pandita, 2020). Pandita (2020) expresses the Pandit collective desire to return:

In the last three decades we have known of so many elderly people, who, on their deathbeds, wished to just be taken home. We had a way of life, we had our Gods, our language, our festivals, our rituals. They are all vanishing in our collective memory. In exile, we put pictures of our symbolic celebration of rituals on Instagram, more as an assurance to ourselves than to others — assurance that we are a people who are still alive; that our ties with our homeland have not been severed.

In January 2020, on Twitter a campaign under the hashtag *#HumWapasAyenge* became quite prominent. It explains the Pandit deep emotive connect with their real home.

IV. KASHMIR PANDITS AFTER 2019

Why 2019? On 05 August 2019, Article 370, paradoxically a temporary provision which gave J&K a separate constitution, special status and special immunity except defence, foreign affairs and communications included in the Constitution of India on 17 October 1949 (Noorani 2012, 4-5), was removed by the government of India. It implies the cancellation of special status or limited autonomy given to J&K. The announcement of the same was followed by strict precautionary measures: '... a major Hindu pilgrimage was cancelled, schools and colleges were shut, tourists were ordered to leave, telephone and internet services were suspended and regional political leaders were placed under house arrest' (BBC NEWS 2019). The above pre-emptive actions were undertaken to prevent possible eventualities as Kashmir was highly vulnerable to militancy-related violence. The terrorist ambush masterminded by Jaish-e-Mohammed (JeM) on the CRPF convoy on 14 February 2019 in Pulwama on Srinagar-Jammu highway causing casualty of 40 CRPF personnel (Ahmad 2019) was shockingly fresh and might have contributed to intensifying security arrangement for the event like removal of Article 370. However, the removal of Article 370 seems to have generated some hope for the Pandits to imagine of their return to their ancestral land. But this hope combines fear. The Pandits have experienced exodus and the difficulties and trauma integral to it. They have also reorganised their lives over a period of thirty years undergoing various kinds of difficulties. It seems that unless there is a demographic change in Kashmir in terms of people from other parts choosing to settle there, the return of the Pandits to the valley may turn out to be suicidal knowing the magnitude of militancy that prevails there.

In Indian federal system, a citizen is free to settle in whichever state he/she wishes to except in Jammu and Kashmir and India's North-Eastern states. Exception applies on the North-Eastern states as they are predominantly tribal regions. But the status of exception enjoyed by J&K was determined by Article 370 and 35A of the Constitution of India. The said articles were from the beginning stated as temporary. But these legal barriers restricted the citizens of India to seek residency in Kashmir. Kashmir therefore became predominantly a Muslim majority province. Since the J&K administration was located in Srinagar, which is the Capital city and part of Kashmir, Kashmir therefore exercised greater leverage

and monopolised the Kashmir discourse. The Kashmir discourse was dominated and singularly shaped by the Muslim ruling elite. Ladakh and Jammu could hardly secure a place in it. Kashmir receiving legal immunity from Article 370 became demographically a Muslim majority state. This fact therefore helped Pakistan and militants to disseminate the ideology of separatism. However, the idea of going to Kashmir as a minority may not be accepted by the Pandits. They may not welcome the idea of risking their lives again. And the present Kashmir does not seem to offer any affirming signal for a mutually respectful coexistence.

Knowing the impact of militancy in the valley and to some extent the political and local support of the same as it happened after the killing of Burhan Wani, ‘a commander of Hizbul Mujahideen’ (BBC NEWS 2016; Meenakshi 2017) in July 2016, the Pandits may hesitate to return. In the same year more than twenty five schools were burnt down in Kashmir affecting the life and education of ‘more than 4500 students’ (Wani 2016). Mehbooba Mufti, the CM of J&K, ‘blamed separatists for using children as cannon fodder’ (Wani, 2016). This assault on the institutions of primary and secondary education, primarily those which promote secular education, suggests the power and the clout that the militants and separatists occupy in Kashmir. The reactions and the blame-games from the political circles in the valley are dubiously demonstrative in nature. They signify nothing. The valley still remains under the grip of the militants, dogmatic theologians and separatists. These violent events explain the Pandits’ fear as they have experienced the same during and prior to their exodus from the valley.

To add their fear, Anantnag Congress sarpanch Ajay Pandita’s murder by ‘the Lashkar-e-Taiba backed TRF’ in June 2020 (Pandit, 2020) shakes the Pandit grit to relocate to the valley as a minority community. The murder of Supinder Kour (Kashmiri Sikh and principal of a govt school at Eidgah, Srinagar), Deepak Chand (a Kashmiri Hindu and a teacher in the same school), M L Bindroo (a Kashmir Pandit) and Virender Paswan (a panipuri seller from Bihar) in October 2021 intensifies the fear factor in the valley (Zargar 2021). The victims are the Hindus and a Sikh; and The Resistant Force (TRF), a militant outfit, has taken responsibility for the school attack and the killings (Ashiq 2021). Targeting the reed-thin religious minority the valley explains the intent of not making the pandit smooth settlement in the valley. In spite of strict security in Kashmir, 38 civilians are killed by the militants in the valley in 2021 (Zargar 2021).

These recent challenges combined with what happened in 2003, the massacre of 24 Kashmir Pandits at

Nadimarg, South Kashmir by the militants (*India Today*, 2017), exacerbate the Pandit apprehension of possible return to the valley. Besides Nadigram massacre, the massacres at Sangrampora (1997) and Wandhama (1998) ruined the Pandit resolve to stay on in or to return to Kashmir (Ramachandran 2020; Swami 2003, 44). It is not that the Pandits did not want to stay on in Kashmir even after the mass exodus in 1990. Some of them stayed on because it was difficult for them to leave and embrace uncertainty. But, they too were systematically targeted. After 1989-90 episode, they had to bear three more massacres, as stated above, to leave the valley. Pain has taught them fear. To resettle they have to overcome that fear. Besides, the mutation of the militants post nullification of the Article 370 into new outfits such as The Resistance Force (TRF), Kashmir Tigers, People’s Anti-Fascist Force (PAFF), United Liberation Front of Kashmir (ULFK) etc and their effective use of digital space for disseminating false propaganda (Stambamkadi 2022) add to the Pandit fear. Moreover, radicalisation machinery working determinately in the madrassas to produce more militants to keep the militancy alive in the valley is a major worrying factor towards securing peace (Pandya 2019). The banning of Jamat-e-Islami and JKLF, though inevitable, does not really solve the problem of militancy. They mutate into some other organisations changing the nomenclature and continue their activity.

Farooq Abdullah, a prominent political leader of Kashmir having significant political clout, seems to have complicated the matter by his well-crafted comment tactically placed in an interview to *India Today TV* in October 2020 after he was released from detention. He expressed his hope that China would restore Article 370 in the valley (*The Hindustan Times* 2020). The timing of such a comment given was very well-chosen. It was precisely during Indo- China intense border dispute along LAC. Mehbooba Mufti on her release from detention on 13 October 2020 expressed her anger over the fact of the removal of Article 370 and called that legislative exercise ‘anti-constitutional, anti-democratic and illegal’ (Dutta, 2020). The Mufti-Abdullah alliance in Kashmir to oppose the abrogation of Article 370 is well defined in her choice to be one of the signatories to ‘Gupkar Declaration’ (Dutta 2020). The ‘Gupkar Declaration’ was designed to collectively oppose the removal of Article 370 to fight for the special status of Kashmir (Dutta 2020). But such comments and the formation of political alliances to register resistance also explain the dissatisfaction of the Kashmir political leadership over the removal of Article 370. Resistance to the abrogation of Article 370 also implies resistance to the resettlement of the Kashmir Pandits.

The local political leadership in the valley both Peoples Democratic Party (PDP) and National Conference (NC) seems to have neither shown decisive willingness nor conducted any initiative with genuine commitment since 1990 to bring the Pandits back to the valley. Genuine gestures of integration were never proposed in the past. If a hint of such gesture was presented, it was immediately responded with some form violence by the militants. Massacres of the Pandits at Sangrampora (1997), Wandhama (1998) and Nadimarg (2003) in Kashmir are the examples of reactions from the militants (Swami, 2003: 44). The dark history of the Pandit exodus from the valley would have been evaporated from the public memory, if attempts to resettle the Pandits had been extended from the valley. It seems that it was a plan that became successful. It seems that the exodus was a not an accident. Had it been an accident, it would have been healed or attempts may have been made to heal it. And the occasion to remove Article 370 would never have come. The consistent taciturnity exercised by the Kashmir political leadership since 1990 over the issue of the Pandit resettlement in the valley underlines their unwillingness. Therefore, the valley seems emitting contrary signals.

In such a situation resettling only the Pandits may be suicidal. The re-settlement of the Pandits in the valley ought to coincide with the resettlement of a host of other people. But it is difficult to predict how the situation in Kashmir would take its shape post-covid. The valley is under the grip of ongoing pandemic caused by Covid 19 and poor economy. The possibility of an amicable resettlement of the Pandits in the valley depends on how the nature of political trajectory takes shape after the pandemic. However, observing closely into the current scenario in Kashmir and the unwillingness exhibited by the local leadership for the Pandit resettlement, the prospect of resetting the Pandits along with people from other communities and cultures seems apparently the solution. It may sound politically incorrect to suggest such a solution. But that seems unavoidably the only way out in the current situation. Moreover, many more prospects may also emerge once the formality of resettlement makes a beginning. But to resettle the Pandits alone with certain security arrangement may not be a right idea. As it happened during V P Singh as prime Minister at the centre between 1989 and 1990, the similar situations may emerge in the life of a nation. Such occasions, if re-emerge, may again give rise to militancy in the valley. The Pandits would again become victims of militant aggression; and another exodus may occur. This solution seems fine at the level of a proposition. But, if applied, it may also invite a series of reactions from the Muslim communities from the valley.

The domicile rule, that the govt of India has implemented for J&K under Section 3A of the J&K Reorganisation Order 2020, introduces several caps for domicile rights. They include, a period of 15 years of residency is required for exercising the domicile right; if the applicant has appeared the class 10 and 12 examination in an educational institution there; and the central govt officials and their children are eligible for residency provided the concerned official should have served a period of 10 years in the state (DD News 2020). At this point, nothing definitive can be said. It is to see how does the current govt, which has fulfilled a part of its poll promise by revoking Article 370, proceed with its plan of resettling the Pandits in the valley. Any initiative to be taken needs to be based on the aspiration of integration. Home is not just a physical reality. It involves 'considerations of quality, dignity and social relations within the community and with other communities' (Datta2017, 103). 'Exclusive township' for the Pandits in the valley as a necessary measure towards the idea of resettlement or establishing them as separate communities without any connect with the existing society at large may widen the divide (Ramachandran2020). The inter-community dialogue which seems impossible at present may begin once the Pandits are placed there. These are just speculations. But knowing the hardship caused after the removal of Article 370 and the angry local leadership in Kashmir, it does not sound to be easy to seek immediate acceptability from the majority. The politics and ideology around exclusivity along religious identity that has taken anchorage in Kashmir do not create an ecosystem of positive engagement and amicable resolution of Kashmir problem. Pakistan is very clear in its intent to intensify the conflict in Kashmir. It looks for opportunities to degrade the situation there. But the initiative of resettlement needs to start. Instead of talking to the Kashmir political leadership, there is a greater need to reach out to the ordinary Kashmiris who by and large seek peace.

On the question of return, Ieshan Vinay Misri (2019) expresses unreasonable doubt as he finds no practical policy in place to rebuild solidarity among the communities and rehabilitation of the Hindu minority in the valley. He calls the very process of bringing back the Pandits to the valley 'unrealistic' unless the practical constraints – 'xenophobia', 'communal violence' and 'security threat' – are not effectively addressed. The debate over the possibility of return of the Pandits to the valley is fertile with the combination of contrary speculations. But the fact of the matter is that if finally an amicable solution is consensually arrived at, it would set example of the grace of inter-community cohabitation against the burden of increasing divisiveness. The return of

Pandits to the valley is after all inarguably essential for 'the revitalisation of Kashmiryat' (Mattoo 2003, 17). Nothing can substitute dialogue however hard they may appear in the trying situations. The bottom-up approach and comprehensive dialogic framework appear to be the only therapeutic to the never-ending Kashmir conflict.

V. CONCLUSION

To conclude, it is true that the people in Kashmir had to go through hardship owing to curfews and *bandhs* and communication collapse subsequent to the abrogation of Article 370. It seems that it was primarily done to prevent violence in the valley knowing the sensitivity of the issue and militancy in the valley. But the abrogation of Article 370 opens the space for reinvigorating true *kashmiriyat* and re-energising the Kashmiri ethos of cooperation and mutual respect. It may facilitate the process of demilitarisation. A smooth resettlement of the Pandits in the valley under the provision of mutual respect and community interaction may solve the question of resettlement of the Pandits. To work towards that goal, principles of segregation and insularity and favouritism are not the way out. Knowing the complexity of the Kashmir issue, it requires the govt at the centre and the leadership in the state and the people of Kashmir and the Pandits to come together in order to express cooperation. All stakeholders need to discuss and amicably resolve the issues through proper dialogue. Efforts need to be made from both the sides. Willingness needs to be extended from both the ends. Such acts of unique display of human character will defeat the cause of militancy and ease out gradually the intense military presence from the valley. It will inaugurate a new ecosystem of inter-cultural communication and cohesion.

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