



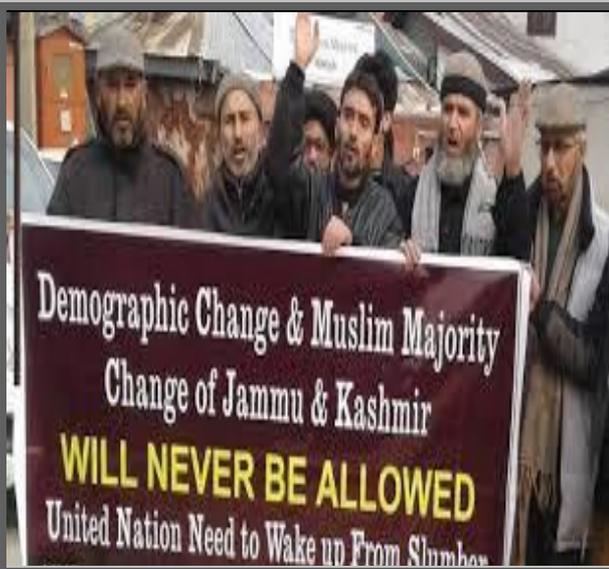
### IOJK & THE NEW DOMICILE LAW: OPENING THE DEMOGRAPHIC FLOOD GATES

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*(Views expressed in the brief are those of the author, and do  
not represent those of ISSI)*



In pursuance of its nefarious design to change the demography of Indian occupied Jammu and Kashmir (IoJK) and turn the Muslim majority into a minority, on June 26, 2020 the Modi government issued domicile certificates to 25,000 people from across India including an Indian Administrative Service (IAS) Officer and a senior bureaucrat from the state of Bihar.<sup>1</sup>

The move was made following the introduction of “Jammu and Kashmir Reorganization (adaptation of state laws) Order 2020” on March 31, 2020<sup>2</sup> through an executive order by the BJP government. The clauses related to domicile are explained under “Jammu and Kashmir Civil Services (Decentralization and Recruitment) Act” according to which any Indian national who has resided in Indian occupied Jammu and Kashmir for a period of 15 years will be eligible to enjoy all the benefits that were strictly reserved for the people of Jammu and Kashmir before the Indian government illegally annexed the state on August 5, 2019, including buying property in the state.

With this, the doors of IoJK have been opened for outsiders to permanently settle in the state. The nightmare of a much argued demographic change in IoJK is now becoming a reality. The issue is so grave that it has brought both the pro-India and pro-liberation parties in IoJK on one page. The leading pro-India party, the People’s Democratic Party severely criticized the issuance of certificates

<sup>1</sup> “IAS officer, 25,000 others get domicile certificates in J&K,” *Tribune*, June 27, 2020, <https://www.tribuneindia.com/news/j-k/ias-officer-25-000-others-get-domicile-certificates-in-jk-104938>

<sup>2</sup> “Amid Coronavirus Lockdown, Govt Comes Up With Domicile Law For Jammu And Kashmir”, *Outlook*, April 1, 2020, <https://www.outlookindia.com/website/story/india-news-amid-coronavirus-lockdown-govt-comes-up-with-domicile-law-for-jammu-and-kashmir/349830>

and said “The PDP has voiced its stern opposition to the domicile rules before. It reiterates that through such underhand means, the Government of India intends demographic flooding in J&K while plundering people of their identity and constitutional guarantees”.<sup>3</sup> The party further said that the move to change Muslim character of the state is being taken at a time when everything is being viewed through the prism of religion. PDP further asserted that “As the agenda unfolds, it becomes clear that along with the intended demographic change, the target is also the jobs, natural resources, cultural identity and everything that the people of Kashmir had tried to save by acceding to India with firm constitutional guarantees.”<sup>4</sup> The other leading pro-India party, the National Conference believes that “All the misgivings raised after the domicile laws were changed in J&K are coming to fore with J&K government’s issuance of domicile certificates to non-residents of J&K”.<sup>5</sup> The party further lamented that the first casualty of this course will be jobs and the land holdings that were reserved for the permanent residents of the state previously. The party further stated that the move is aimed at disempowering the permanent residents politically and economically. It reminded the government of its commitment that the land and employment rights of the people of IOJK will be protected. Similarly, the pro liberation Hurriyat Conference faction that is led by Mirwaiz Umar Farooq expressed its dismay saying that by initiating the implementation of a demographic change in Jammu and Kashmir, the Modi government is exploiting its natural wealth and resources and rendering local people jobless besides taking advantage of the COVID-19 pandemic as people are struggling with its adverse effects on their daily lives and livelihood.<sup>6</sup>

Interestingly, the Hindu parties in Jammu region have also expressed their dismay at the situation. The National Panthers Party submitted a petition to President Ramnath Kovind requesting him to urgently intervene to protect the history, integrity and fundamental rights of the people of Jammu and Kashmir “whose existence and identity has been threatened by the introduction of domicile law without consultation of the legislative assembly of the Union territory”.<sup>7</sup>

It is now no secret that the Modi government is hell bent to undermine the religious and cultural identity of Kashmiri Muslims, first by snatching the status of a state of Jammu and Kashmir and turning it into Union Territory, and now by encouraging the outsiders to permanently settle in these areas. In doing so, the Modi government is in reality exposing itself that it is only interested in

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<sup>3</sup> “J&K parties fume as IAS officer from Bihar gets domicile in Jammu and Kashmir,” *Deccan Chronicle*, June 27, 2020, <https://www.deccanchronicle.com/nation/current-affairs/270620/national-conference-pdp-see-red-over-non-locals-getting-j-k-domicile-c.html>

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> “Domicile to outsiders in J&K unconstitutional : Panthers Party,” *Hindustan Times*, June 29, 2020, <https://www.hindustantimes.com/cities/domicile-to-outsiders-in-j-k-unconstitutional-panthers-party/story-djNzY7iFSxhyiQatYmnAIK.html+&cd=1&hl=en&ct=clnk&gl=pk>

holding the land of Kashmir and the Kashmiri sentiment has no place in Modi's grand plan of creating a Hindu Rashtra. No wonder, Kashmiris today feel even more alienated than they were few years ago. This is especially true for those leaders and parties who have always advocated state's accession with India. Today, they feel betrayed and let down by the Modi government's irrational policies in Kashmir.

The silence of international community unfortunately is also adding to the woes of Kashmiris. While, the world attention is focused on dealing with the effects of corona virus, the Indian government following in the Israeli footsteps is stealthily changing the demography of Jammu and Kashmir in stark violation of International laws and the Simla Agreement signed between India and Pakistan. Pakistan has been consistently raising this issue with world leaders and at all international forums. The bigger question is: Will the international community be able to prevent another Palestine in South Asia?