



## Letter and spirit: On new domicile rules in J&K

### Context:

- Issuance of domicile certificates in Jammu and Kashmir.

### Background:

- The erstwhile State of J&K had gained special powers to define its **'permanent residents'** and **restrict land, educational and employment rights** only to them.
- Subsequent to changes to Articles 370 and 35A in August 2019, in March 2020, the concept of "permanent resident of the State" was discontinued in J&K.
- As per the **new domicile rules**, those persons and their children who have resided for 15 years in J&K, or have studied for seven years and appeared in the Class X or XII exam in an educational institution in the UT, are eligible for grant of domicile.

### What is the significance of the domicile rules?

#### Setting right deprivations:

- New domicile rules for Jammu and Kashmir have brought succour and hope for a segment of its population that had to contend with fragmented citizenship rights.
- Around two to three lakh people including **refugees from Pakistan, sanitary workers resettled from other parts of India were not classified as permanent residents**, leading to a **denial of opportunities** to them in education, employment and politics leading to gross injustice to this section of the society.
- It will help mitigate the **historical deprivation** of this segment of the population.

#### Economic development:

- Movement and settlement of people across political and natural borders have been a constant feature of progress.

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- Movement into the region will be largely driven by economic reasons. **Economic growth would be aided by the flow of resources and people** into the relatively underdeveloped region.

### Integration with India:

- The domicile rules which will help **increase the interaction between the region and the rest of India** will provide for opportunities for better understanding. This will **help the region integrate into the Indian Union not only politically but also psychologically**. This would also help India and the region **address the internal security issue of terrorism** which seems to have deprived a whole generation of the region of its share of peace and development.

### Concerns:

- There are concerns that the changes in domicile rules will lead to a **huge influx into the region** leading to a change in the demographic character of the region.
- There are concerns that there could be **dispossession of land and a shrinking of economic opportunities for local people**.

### Conclusion:

- There is a need to guard against politics hampering the prospects of growth and development in Jammu and Kashmir. There is a need to **guard against the politics based on the principle of nativism** while at the same time taking necessary measures to protect the region's genuine interests.