

# The Caste of Migrants: Affirmative Action and the Case of Kashmiri Pandits

Pushpendra Johar


**Abstract:** *In the winter of 1990 the first set of Kashmiri Pandits migrated from the valley of Kashmir to different parts of India and abroad under tensed political circumstances; eventually, a dozen such migrations took place which led to around 1,40,000 Kashmiri Pandits leaving the valley. In the decades to come Kashmiri Pandits would make claims on the Indian state to 'rehabilitate' them in their host regions. These included, among others, reservations in various educational and executive institutions. Following directives from Ministry of Human Resource Development, Government of India. many educational institutions across India provide for reservation for Kashmiri migrants in various undergraduate courses in diverse disciplines. Also, a substantial number of jobs were announced by the government of Jammu & Kashmir especially for Kashmiri Pandits This paper seeks to analyse the case of affirmative action in favour of a historically privileged community in a region which has been marred by deep socio-economic divisions. Further, it juxtaposes state measures planned for other migrant groups such as Namasudras of Bengal with those for Kashmiri Pandits to draw comparisons between communities that lie at different rungs of the social structure, although nominally equal as per the constitution of India. The paper draws largely from secondary sources along with the ethnographic data collected during the author's fieldwork in the valley of Kashmir and in Jammu region between 2012 and 2017.*

Keywords: Kashmiri Pandits, Affirmative Action, Brahmin Reservation, Caste and Migration, Namasudras, Militancy and Migration

## Introduction

The history of social justice in India has been marred with fights for the implementation of just policies, constitutional amendments, formation of committees alongside regular subversion of policies of social justice (Yadav, 2009). One of the limited measures to arrest the grave issue of social inequality has been explored in the policy of affirmative action (henceforth, AA). AA refers to arrangements, whereby the law sanctions special measures or differences in treatment that, when certain conditions exist, depart from the principle of formal equality (Louis, 2006).

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 PushpendraJohar: [joharpushp@gmail.com](mailto:joharpushp@gmail.com)

Department of Anthropology, University of Delhi

In the Indian context, such provisions were designed by the constitution makers, keeping in mind India's deeply hierarchical and unequal societies which translate into disparate economic and political standings of diverse castes and communities. AA as a usage was brought to the public discourse by the American president J.F. Kennedy in 1961 when he used it to refer to equality of opportunities for all American citizens. Over the past six decades, the usage has become a part of the popular vocabulary in the domain of social justice. AA functions as an umbrella term for a gamut of practices that are designed to promote positive discrimination. 'Quota' and 'reservation' are used along with AA as per the context through the course of the paper.

In order to administer, enumerate and make the provisions available to the disadvantaged classes the administrative categories of Scheduled caste (SC), Scheduled tribe (ST) and Other Backward Class (OBC) were formulated after much deliberation and research. Originally, the purpose of such a measure was to provide representation to communities that have been historically marginalized in social, economic, political and educational domains. In that sense, the idea of affirmative action is preceded by the idea of social justice and it is from that premise this paper has been approached.

### **Brahmins of the Kashmir valley: A historical understanding**

The census-taking exercise in the princely state of Jammu and Kashmir (henceforth, J&K) began in 1873. It was managed by the Dogra administration on the insistence of the British from whom the first Dogra King of J&K Gulab Singh and his heirs had received the territories eastward of the River Indus and westward of River Ravi on the payment of 75 Lakh rupees. This exchange was formalised through the signing of the treaty of Amritsar in 1846. Over about six decades the census developed into a highly detailed administrative activity collecting economic and demographic data (Evans, 2002) on the feudal subjects so as to calculate revenue and taxes.

The last census to record the population of the Brahmins of Kashmir, popularly known as Kashmiri Pandits (henceforth, KPs), was the census of 1941 which enlisted them as a caste and not under the vague and homogenising category 'Hindu'. They formed a relatively small proportion of the population, like Brahmins elsewhere in the Indian subcontinent. Other Punjabi 'Hindu' castes, primarily Khatri, had settled in the valley for trading purposes and constituted a minuscule population even compared to KPs. The total number of KPs as of 1941 was 76,868 and was recorded to be around 4.4% of the total population (India, 1941).

According to the 1981 census, there were 3.96% Hindus (Evans, 2002) in Kashmir, thus the population of KPs in the valley was close to 4% in 1990. The year 1989 saw an armed militant uprising against the Indian state which involved Kashmiris, primarily Muslims, demanding Azadi from Indian rule.<sup>1</sup> This led to violent suppression measures by the Indian armed forces. In the wake of ensuing violence, a majority of the KPs left the valley under volatile political circumstances in

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<sup>1</sup> Azadi is an Urdu/Persian term which can have multiple connotations; the most prominent and often used being freedom, self-rule, sovereignty, autonomy etc. in the context of Kashmir.

the 1990s (Johar, 2017). The population count could not be conducted in 1991 in the state of J&K due to ongoing political and social instability.

KPs constitute the Kashmiri speaking 'Hindu' Brahmin caste beside multiple Muslim and some numerically small Sikh and Punjabi Khatri castes in the Kashmir valley. The case of KPs living outside the Kashmir valley after their migration post-1990 events needs to be approached from two dominant and interlacing identities that they espouse - of being Kashmiri Brahmins and migrants.<sup>2</sup> While their Brahmin identity defines their position as hegemonic caste members in the social structure of Kashmir, the migrant status is a product of their peculiar position as a group with clashing national interests with other socio-political groups in Kashmir. I would focus on both these identities and further problematise the component of class amongst KPs which has been a matter of inquiry in the recent ethnographic works on them.

### **Land Ownership in Kashmir**

The disparities were quite stark in the way land was controlled by certain groups in the Kashmir valley starting from the Afghan rule (1752 CE) onwards. Muslim upper castes such as Syeds and Pirzadas alongside Kashmiri Pandits held control over outrageously disproportionate amount of land compared to other caste groups. Andrew Wingate's report submitted to the J&K darbar in 1888 (as cited in Jamwal, 2013) on settlement operations in J&K throws some light on access to land and revenue contexts in Kashmir. These castes constituted the landlord class in Kashmir. The state granted land through a process of assignment of land revenue made in favour of a selected and privileged class of gentry known as Jagirdars, Ilaqadars, Muafidars and Chakdars (Jamwal, 2013). In instances where Pandits and Pirzadas were obliged to pay revenue, the amount of cash or commodity was significantly lower than other castes (A. Wingate as cited in Jamwal, 2013).

As per the promises made by the National Conference government in 1944, land reforms at a large scale were carried out in the state of J&K starting from the 1950s onwards up to late 1970s. Prior to the reforms approximately 4% KPs owned 30% land in the valley (Rai, 2012). Most of it was agricultural land and as per the reform directives, more than 22.75 acres of land per family was to be redistributed to the tillers, since big landlords never tilled the land themselves. However, many landowners managed to keep large tracts of land by converting their agricultural land into horticultural land or orchards which were outside the purview of the reforms. Such discrepancies in the reforms point towards the power landlords held over the government of the day. The landlords had the freedom to choose the part of the land they were to keep, which gave them additional power to 'extort money from his tenant on the threat that he would choose to keep his tenant's land with him' (Qasim, 1992).

Further estimates about the socio-economic status of KPs in Kashmir post-1947 can be made with the help of data provided in Madan's ethnographic study conducted in the 1950s. The study provides an understanding of an average Kashmiri Pandit homestead which is never less

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<sup>2</sup> The term migrant has been used in government documents. Whereas, another term which is proposed to be a better and more accurate signifier as per recent social science literature is IDPs or internally displaced persons (Datta, 2017; Malhotra, 2007). It needs to be mentioned here that even though a significant population of KPs settled within the same state (in and around Jammu), they were recognised as migrants by the state.

than three storeys and can go up to having one more storey. In 1957, it documented 55 three storey, 2 four storey and two double storey Pandit houses in the binucleated villages in Anantnag. Of the 59 Pandit homesteads, 42 were with gardens, yards and one or more outbuildings, and 17 of the houses with gardens and yards only. No household is without the use of a granary (Madan, 1989).

### **Representation in State Services**

Going back to 1931 census a total of 78% gazetted posts were held by Hindus and Sikhs (Copland, 1981). Kashmiri Pandits accounted for close to 4% population of the valley whereas Sikhs constituted less than 1.5% population of the Kashmir valley. Less than 6% people controlled 78% jobs in that region. Rest 22% posts were held by mostly 'Muslims', and since there is no separate mention of the caste of the Muslims working for the state departments it involves reasonable speculation to say which castes were represented in such jobs. According to the 1911 census of J&K 'Babazadas, to which class most of the Pirs and Mullahs of Kashmir belong, have returned a proportion of literate that looms largest in the literacy list of Mohamedan races and tribes found in the state' (India, 1911). These remarks of the census commissioner give an estimation of what castes from among Muslims were represented in the state services.

The Glancy commission, constituted in 1931 to look into the grievances of disadvantaged classes, had similar observations to make about Kashmiri Brahmins (Glancy, 1932). The Brahmin control over government jobs spread to the districts outside the valley. In Mirpur district alone around 94% patwaris (village record-keepers) were Kashmiri Brahmins (Copland, 1981).

The first instance of legalised reservation for Kashmiri Pandits was witnessed in the National Conference government's policies at the very beginning of their term, which comprised apart from other concessions, 10% reserved positions in state services for nearly 4% KP population. Additionally, it reserved 50% state jobs for the 'Muslims' (Rai, 2012). However, the overall population of the Muslims was far more in proportion (almost 94%). More importantly, the varying social strata within the overarching Muslim category were never considered while policies were being designed. Interestingly, the caste composition of Jammu and Kashmir government reflected in its policies, which it seems, was mindful of the 'secular' aspect of its policies but was quite blind to other prominent socio-economic factors that were decisive in resource distribution in the state. KPs constituted the most prominent and powerful religious minority in the Kashmir valley. It is interesting that the idea of 'religious minority' was used in order to rectify a caste-based disadvantage that was rampant in Kashmir at that time. At any point, there were both Brahmin and Muslim upper castes who controlled most of the resources. This also raises questions about understanding populations in the binaries of minority and majority, which can be problematic in the context of South Asian societies which are arranged primarily by the principles of gradation and rank (Ambedkar, 1987).

The relevance of Kashmiri Pandits in the political economy of J&K cannot possibly be assigned to their numbers given their relatively small population in the valley even before their migration. However, their dominant presence in interrelated branches of government such as revenue department, education department, and other executive bodies had made them indispensable to the

state government before the educational and land reforms. Even after the reforms, they continued being in positions of power.

### **Rehabilitation post-1990s migration**

The rehabilitation process during and after the mass migration of Kashmiri Pandits in the 1990s has involved significant policy decisions by state and central governments. These include the provision of monthly allowances, residential quarters and reservations in educational institutions and government jobs.

In the mid-1990s, Government of Maharashtra put in place 2% ‘over and above’ quota for Kashmiri migrants in multiple educational institutions including Mumbai University.<sup>3</sup> States like Karnataka were soon to follow Maharashtra. Similarly, private institutions in many other states reserved seats for Kashmiri migrants following the examples of the government institutions.

In March 2015, educational institutions and universities across the country received a notice (it was a repeat of a similar notice circulated earlier by the ministry) from University Grants Commission (UGC) requesting on behalf of Ministry of Human Resource Development (MHRD) to provide following concessions to the Kashmiri migrants: 1. relaxation in cut-off by 10% 2. increase in intake capacity up to 5% course-wise 3. reservation of at least one seat in merit quota in technical/professional institutions 4. waiving of domicile requirements. The notice states:

“...as Kashmiri migrants continue to face hardships it would be necessary to provide concessions to their wards for their admission...”<sup>4</sup>

That same year the quota for Kashmiri migrants at the University of Delhi was raised from 3% to 5%. In 2010 J&K State government reserved 3000 state government jobs for Kashmiri Pandit youth. In 2016, the total number of jobs was increased from 3000 to 6000 in total.

### **Do Kashmiri Brahmins qualify for Reservations?**

Going by the formal definition of AA, it can be contested that the reservation designed for Kashmiri migrants favour a particular caste or religion; however, a close examination of the composition of the migrant groups and the history and mechanism of the mobilization in favour of such policies inform much about the underlying caste component of the compensatory measures formulated and implemented for Kashmiri migrants. After the sudden migration in the 1990s, KPs had to settle in the temporarily arranged migrant camps in Jammu division. Even though the camps were put up for Kashmiri migrants, they are popularly referred to as Kashmiri Pandit camps (Datta, 2017).

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<sup>3</sup> It has been emphasised that the quota for Kashmiri migrants is meant to be ‘additional’, ‘supernumerary’ or ‘increased’ number of seats in the educational institutions, and has not been culled out of existing quotas for SC, ST, and OBC aspirants,

<sup>4</sup> Refer to UGC notice dated 19th March 2015. Also refer to MHRD notice dated 12th March 2015.

Over the decades the camps were converted into One Room Tenements (ORTs) and then to Two Room Tenements (TRTs) known as colonies. Almost all the colony (earlier camps) dwellers in Nagrota in Jammu division are KPs representing the ‘poor strata’ (Datta, 2017) of the Pandit population, yet constituting only 18% of the total registered migrant population in Jammu (Johar, 2017). Given the literacy rate amongst them and their large representation in the state bureaucracy, a big majority of KP population that migrated from Kashmir 1990s onwards could register themselves as Kashmiri migrants. More than 88% registered migrants in Jammu are KPs (Malhotra 2007). In Delhi, the figure crosses 90%. Since the reservation and rehabilitation policy has been formulated not for a caste/class of people but for a ‘migrant’ group it ends up concealing the constitutive element of the migrant group. In turn, it eliminates any formal recognition of the caste and religious component that is inherent to the very idea behind compensatory policies for Kashmiri migrants. Hence, technically it will be incorrect to say that quotas have been set aside for KPs, however, if the numbers (of the registered migrants) and the names of the people who have been provided with compensations and reservations are observed, the caste and religious component of the beneficiary group become starkly apparent and inform about the unsaid aspect of these policies.<sup>5</sup> Unofficially, it is a well-known and often acknowledged fact that such reservations are meant for KPs and are also availed by them.

Another significant question regarding quotas for Kashmiri migrants in general and KPs, in particular, is whether or not such quotas are constitutionally valid if one is to consider article 46 and clause 4 of article 15 of the Indian Constitution. The latter states: “Nothing in article 15 or in clause 2 of article 29 shall prevent the state from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.”

In continuance, article 46 states: “The state shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”

The key phrases in the above two articles are ‘socially and educationally backward’ and ‘weaker sections.’ Even though there is a degree of condescension to the latter usage one can still ask whether Kashmiri migrants/KPs as a community or as a group of people have been judged on the parameters of backwardness.

The prerequisite for affirmative action in India has been social, economic and educational backwardness calculated on the basis of certain indicators. It needs to be then inquired in the case of migrant KPs whether the quotas made available went through a proper scrutiny as has been in the case of OBC, SC and ST reservations?

Did the state set up a commission on the lines of Sachar Committee and Mandal Commission to understand whether there was a need on the part of KPs to avail reservations in jobs and in places

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<sup>5</sup> Refer to the list of Kashmiri Migrants provided as annexure.

of learning?<sup>6,7</sup> Did they come up with a report? If yes, what does it say? In the absence of any such measures, one can only fall back upon the indicators put together and used by the Mandal commission.

Further analysis of the secondary data presented above with respect to the framework provided by Mandal Commission Report indicates the unlikelihood of social and educational backwardness of KPs. However, the 7 indicators used by the Mandal commission for social and educational backwardness can only be used when there is sufficient data also on the 'well-to-do' (Datta, 2017) population of the community.<sup>8</sup> One of the recent administrative exercises titled Socio-Economic Caste Census-2011 (SECC) conducted by the Government of India can provide important insights into such queries about communities. However, the SECC data has not been released completely and in the absence of the data, such questions are left unresolved.

The economic status of KPs as a community then has to be understood with the help of recent studies that have been carried out by anthropologists and with the help of data provided by the relief organisation set up by the state government, which receives funds from both central as well as state governments. Since many KPs were working for the state government during the time of migration, they continued in jobs with central and state government agencies as their employer amid the hardships posed by the sudden migration which they may not have anticipated. All the state employees continued to get their salaries after they had to move to Jammu. At the same time, there have been reports of many being rendered homeless and jobless in the aftermath of the migration and thus needing state support.

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<sup>6</sup> In 2005, the Congress government under the prime ministership of Manmohan Singh, commissioned a research headed by the former Chief Justice of Delhi High Court Dr Rajinder Sachar, so as to prepare a report on the social, economic, and educational condition of the Muslim community in India. The report produced by Sachar committee met criticism from different sections on methodological and purposive grounds. The implementation of the recommendations provided in the report is still unclear in many respects.

<sup>7</sup> In 1979, the prime minister of India Morarji Desai formed the second backward classes commission, in order to enumerate the 'socially and educationally backward classes' in India. The commission was headed by Bindeshwari Prasad Mandal, an Indian parliamentarian, after whom the commission was known as Mandal commission. The commission submitted its report in 1983. The recommendations in the report were finally implemented in 1992 by the National Front government. The successful implementation of the Mandal Commission recommendations was preceded by large scale protests and a delay of almost a decade by successive governments between 1983 and 1990.

<sup>8</sup> Social - (i) Castes/classes considered as socially backward by others. (ii) Castes/classes which mainly depend on manual labour for their livelihood. (iii) Castes/classes where at least 25 per cent females and 10 per cent males above the state average get married at an age below 17 years in rural areas and at least 10 per cent females and 5 per cent males do so in urban areas. (iv) Castes/classes where participation of females in work is at least 25 percent above the state average. Educational - (v) Castes/classes where the number of children in the age group of 5–15 years who never attended school is at least 25 percent above the state average. (vi) Castes/classes where the rate of student drop-out in the age group of 5–15 years is at least 25 percent above the state average. (vii) Castes/classes amongst whom the proportion of matriculates is at least 25 percent below the state average.

The recently published ethnographic study by Ankur Datta (2017) provides some workable data on the migrant KPs who were initially living in camps but have been moved to a township with Two Room Tenements meant for each registered migrant family.

The township is located in a place called Jakti in the Jammu division. According to the data collected from Relief Commissioner's office, the total number of KP migrants living in the township does not exceed 18% of the total registered Kashmiri migrants in Jammu. Datta divides the migrant population into 'poor' and 'well-to-do' categories and classifies the ones living in the township as 'poor' KP migrants. Even though these categories are simplistic and problematic, they provide a glimpse into the socio-economic profiles of the migrants living in the township as opposed to the ones living in rented and privately-owned accommodations in the Jammu city, Delhi and other parts of India and abroad. A large population of the township dwellers works for the government and private organisations.

Schools have been set up for all the students of the township as far as primary and secondary education is concerned. Since the total migrant population living in the township is less than 18%, it suggests that 82% of the registered Kashmiri migrants in Jammu could afford to live outside camps before they were converted into the township.

This brings us back to the question of backwardness. There has not been any attempt on the part of the state agencies to justify the quota based on socio-economic backwardness. The quotas or reservations in educational institutions and jobs were put in practice without any discussions in the public domain or without a proper and published study.

However, the logic that has been given around reservation by the KP groups is along the lines that they have been the traditional class of 'knowledge producers' and their migration in the 1990s has thrown them back by 40 years (Datta, 2017). It is a matter often repeated in academic and non-academic works on caste in India that occupational division has often been related to caste status of a group and its members. Given ample literature and data on the occupational division along caste lines (Driver, 1962; Fuller & Narasimhan 2008; Kuffir, 2012; Leonard, 1993) and its replication into the modern democratic institutions what it may mean to be the 'traditional knowledge producers'(Datta, 2017). The association of traditional occupation with caste is an essential prerequisite for maintaining and perpetuating caste statuses. Ironically, a mechanism such as AA, meant for overcoming inequality born out of institutions of caste and race, has been employed to reproduce caste in this case.

What needs to be considered is the fact that the 'over and above' or supernumerary quota for Kashmiri migrants were mostly announced in the wake of implementation of Mandal commission reforms and may well be described what Yogendra Yadav refers to as 'subversion of policies of social justice' (Yadav, 2009), where it is deflected away from people it is meant for.



## **Hierarchy amongst ‘Migrants’**

In order to explore the way, informal structural arrangements are acknowledged and replicated by the formal institutions a case study of Namasudra migrants of Bengal is juxtaposed with the KP situation. After India’s independence, many violent incidents have uprooted entire communities from their native places. From Naroda Patiya (2002) in Gujarat to Mirchpur (2010) and Bhagana (2012) in Haryana to Muzaffarnagar (2013) in western Uttar Pradesh are some of the few recent and disturbing examples (Johar, 2017) which involved lower caste socio-religious communities migrating out of their homes in the wake of communal violence.

After the partition of British India in 1947, the non-Muslim migrants from East Bengal kept on pouring in until the early 1970s (Bangladesh War). Most of the upper caste migrants were made to settle in Calcutta, Siliguri and other such places where illegal colonies sprang up overnight and were slowly legalised through a smooth process. On the other hand, lower caste refugees were sent to remote districts like 24 Paraganas, Nadia, Burdwan, Midnapore or forced to settle in Dandakaranya and as far as Andaman Islands (Sen, 2015).

A large population of non-Muslim lower caste Bengalis did not leave their homes in East Bengal in the early years after partition for they had no resources, formal education or social networks (Sen, 2015) to facilitate their rehabilitation in West Bengal. A set of people belonging to non-Muslim Namasudra caste who came in large numbers between the 1950s and 1960s were sent to the region falling in Odisha and present-day Chattisgarh, called Dandakaranya Project Area (DPA). In 1964, the chairperson of DPA, Saibal Gupta declared that less than 10 percent land was arable and the rest uncultivable (Sen, 2015). The communist leaders who were vying for power in the state promised before the elections that if they came to power they would rehabilitate the DPA dwellers in West Bengal in some arable areas. In 1977 communists formed the government in West Bengal and the leaders of the Namasudras reminded Jyoti Basu (the elected Chief Minister of West Bengal) of his promise. At that time, he said that they could come and settle down in and around an island in the Sundarbans called Marichjhapi. People sold all they had and spent their savings to travel from Dandakaranya to settle down in Marichjhapi (Kumar, Hela & Kumar, 2012). The groups of Namasudras would carry out agricultural and other subsistence-related activities and made it clear that they did not need government’s aid seeing rising hostility from the state agencies.

However, the West Bengal government changed its mind on two pretexts: That the Namasudras were running a parallel government in Marichjhapi and that Marichjhapi was a part of Sundarbans reserved forest which was a protected area. Both premises have been falsified by the researchers (Sen, 2015).

To drive them out, the left government cut off the supplies of essential items to the islands. People started dying of starvation. In 1979, the police officials carried out a massacre in which children and women were raped, killed and their bodies drowned in the river. After that most of the families dispersed to different parts of West Bengal or returned to DPA (Kumar, Hela & Kumar, 2012).

The purpose of citing this rather elongated case of Marichjhapi massacre is relevant since interregional migration is an important common factor and caste identities play significant roles in both the cases. Both KPs and Namasudras of East Bengal migrated from border areas and their life course can be compared on multiple indicators. What works for KPs in the 1990s that did not work for Namasudras of Bengal? How does one explain such disparate treatment of two migrant communities in post-colonial India? The answers lie in the structuring of the society and how that, directly and indirectly, influences the state policies towards its citizens.

## Conclusion

A careful analysis of the factors that led to the successful implementation of reservations for KPs can be done by revisiting the modus operandi of KP organisations. Even before the KPs migrated to Jammu and other parts of India there were already a sizeable number of Kashmiri Brahmins settled in Delhi, Lucknow, Lahore and Allahabad (Sender, 1988). The consolidation and management of caste networks were done by floating cultural organisations which often emphasised on their native-regional uniqueness. However, there has been a greater emphasis on the Brahmin-ness (Sender, 1988), most probably a mechanism to assert their dominance in the caste society. With their migration in January 1990 and later, the already existing organisations like Kashmiri Samiti Delhi (KSD) immediately and fervently started working for their caste brothers from the valley.<sup>9</sup> Over the last 28 years, multiple such organisations have come into being and have been advocating for different measures including reservations for KPs in government jobs and educational sector. It is important to note that these cultural organisations had a number of prominent KP judges, diplomats, doctors, journalists or professors as their members. These organisations have worked as advocacy groups with both state institutions and international bodies to mobilise opinion on rehabilitation measures.

Namasudras, who were politically well-organised and had a strong political movement (Kumar, Hela & Kumar, 2012) going on with respect to their rights, did not have access to resources that would have worked for them in the newly independent modern nation-state they became a part of. Their case was quite in contrast with KPs who have sought access to resources by foregrounding and utilising their economic, cultural as well as social capital. To invoke social and cultural capital to multiply resources in the times of distress and otherwise is one of the primary modes of caste consolidation. At the same time, the legitimacy of the social and cultural capital is decided by the hegemonic groups and that further guides the course of communities.

The juxtaposition of the secondary data in census records, government reports, and rehabilitation policy documents inform much about the mechanism and social basis of affirmative action policies for KPs. In the case of migrant KPs, affirmative action has not led to social justice, rather its formulation and implementation have exhibited how the measures of social justice can be used to reproduce and perpetuate social inequality in an already unequal context.

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<sup>9</sup> For more discussion on this see Johar, 2017.

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