

SHADOW OF FEAR

**(HARASSMENT OF KASHMIRI
MUSLIMS IN DELHI)**

PEOPLES UNION FOR DEMOCRATIC RIGHTS

Delhi

February 2002

This account is based on the findings of the inquiries made by a PUDR team on receiving reports of harassment of Kashmiri residents of Delhi between January 6 to 30. For reasons of security the names are being withheld. What follows is an account of the experience of Kashmiris whom we met in different localities over a period of three weeks in January 2002. Rather than provide specific individual cases of harassment this report merely seeks to highlight the nature of problems encountered by them in the course of their search for livelihood.

Thirteen years of insurgency and counter-insurgency have fundamentally altered the social and economic lives of Kashmiris. According to the state government no less than thirty thousand people have been killed, ten thousand children rendered orphan, six thousand women widowed with hardly any relief or rehabilitation. Medical facilities are inadequate to meet the needs of affected people. Mental illness has reached epidemic proportion with many suffering from post-traumatic stress disorders. In the absence of a stable economy people are left with limited employment opportunities. The tourism industry is at a standstill and exports of handicraft goods have also declined. The bulk of state revenue goes to pay the salary of the government employees or towards security related expenses. The result is that health, education and other welfare programs have suffered. The two main sources of employment for educated youth is either recruitment in the security forces especially the state police or the J&K Bank.

The low earning capacity of Kashmiris in these conditions together with the rising demand for jobs have forced thousands of men to leave their homes and travel to Delhi and beyond in search of their livelihood. In the last few years they have traveled primarily to Delhi as itinerant salesmen going from door-to-door to sell shawls, carpets and other handicrafts. Their burden and the

worries about livelihood are accompanied by a deep sense of insecurity and vulnerability. Being Kashmiris, they do not feel safe either in their own state or outside. "*Ham pareshan hain kyonki hamari paidaesh kashmir mein hai*" (the trouble is that we were born in Kashmir). That is how most Kashmiris living in Delhi describe their condition. Even before they leave J&K they are aware that they will be met with hostility and suspicion. But nothing they have heard before or stories that have been told to them prepare them for the actual encounter with India. Perhaps the fact is that in their own state the overwhelming presence of troops and the conspicuous absence of civil liberties lends them the idea that the situation outside would be relatively better and tolerable. Their journey itself is a lesson. According to some who have traveled, it is a standard practice that once the train enters Punjab, personnel of the Punjab police enter the coaches and until they have left the train no Kashmiri escapes their 'attention'. Each person is taken next to the toilet where his body is searched and luggage thoroughly rummaged. All this leads to demands for money, a shawl or even a carpet. The illegal exaction goes up if taken into custody and therefore, people prefer to settle the matter "amicably". Such encounters are often laced with choicest abuses about them being "Kashmiris, their religion, their love for Pakistan, and their involvement in terrorist activities".

If they travel by bus then the sense of security provided by so many fellow Kashmiri travelers does not last long. Once the bus enters Punjab, then anywhere on the highway throughout the state, the J&K buses are stopped and taken some distance away from the main road. Everyone is made to get down with his or her luggage for a search where money is openly demanded. A young man traveling with his mother told us how humiliated he felt to hear the policemen speak rudely to his mother ordering her to

step outside. Refusal to pay can attract abuse and threat of detention. Once the bus reaches Inter State Bus Terminal near Tis Hazari the police are waiting once again to check everyone who disembarks. "We are made to feel as though we are at the Wagah border" (*hamein yeh mahsoos hota hai jaise ki hum wagah border pahaunch gaye*).

"*Wahan Kashmir mein karobar bandh hain to hum yahan aae*". The most telling expression of their anguish is "*ab hum kahan jayen?*" There are no official figures or record available of the number of Kashmiris who visit Delhi but it is estimated that nearly two lakh Kashmiris reside in Delhi. Of these more than half are here between September to March. Many of them live in one or two room tenements, paying a higher rent than what 'others' would have to pay for the same accommodation. Their age group is in the range of 18-50 years. Whereas some have settled here over the years, majority of them migrate each year. In some cases, young men are called upon to supplement the family income even if it means a termination of their education. One of the young men said, "I wanted to study more. My elder brother is a graduate but he is now a shawl seller what is the use of education for us?"

Many men we spoke to are *karigars* (craftsmen) who because of the decline in export and local orders, are itinerant salesmen. Many parents are anxious that the young men, suffering from a sense of frustration and pent-up anger could turn to militancy. As schools close for the winter months in Kashmir, women travel with their children to visit the family for a month or two. The number of such families has progressively increased. Even the police do not spare them the intrusion of their privacy at any hour of the day or night. As in Kashmir, even here they fear for the safety of their men and wait anxiously for their return as dusk falls. When asked how ~~they~~ they spend their time alone, one of them said "I spend long

hours waiting by the window for my husband and my son to return". Most spend the empty hours, after all the chores, anxious about the safe return of their men-folk. They visit other families but mostly in close proximity to avoid long distance travel. Few, if any go out on recreation, to see a film, loiter in bazaars, or go out to eat.

Children are discouraged from playing in the neighbourhood parks. Two young boys who ventured out one evening were accosted by a group of boys who began to abuse them and accuse of them being "enemy agents". When they replied that they were "Kashmiris and not terrorists" they were beaten up. Once men-folk return home even they do not step out. Being out late is taboo. Night out means returning no later than 10 p.m. According to several of them they are "advised" by local police to stay indoors to avoid "trouble". Their stay in the city is considered "dangerous" as far as the Delhi police are concerned. Earlier Kashmiris use to dread the approach of January 26 because it was marked by large scale detention for reasons of "national security". Today this has become a routine part of their daily life, 26 January or otherwise.

We met scores of families in the localities of Lajpat Nagar, Bhogal, Pant Nagar, Batla House, and Old Delhi over three weeks of January. It emerged that the main problem encountered by Kashmiri shawl and carpet sellers in particular is one of police harassment which has become worse since September 11 and peaked after December 13. The police now feel more emboldened to stop Kashmiris whenever they are out on their rounds.

Most Kashmiris ply on bicycles and two-wheelers, a few in cars. They are asked to produce their identity papers (cards), vehicle papers etc., "to the satisfaction of the police" failing which, they are taken to the local police thana for questioning. There have been instances when they are kept in the thana for hours

and let off only when they are able to pay up money that the police demands.

It is mostly in "posh colonies" that the police harass them as, according to the police, they are barred entry into colonies. The private security guards of the colonies often refuse to let them in without an "entry pass" which is not available. In one instance, a shawl seller, was asked to bring such a 'pass' from the Home Ministry. If they protest that other *pheriwalas* were not stopped from entering the colonies one of them was told "these are our own people whereas you all are Kashmiris".

In one colony, the police told a Kashmiri, "Afghanis and Kashmiris cannot be allowed to make rounds in the colony. Your license from Kashmir will not do. All Muslims live there in Kashmir. You all collect secrets there against us". According to one carpet seller, he had parked his scooter (loaded with carpets) when the police objected and asked him to leave, threatening that he would otherwise confiscate his carpets. This is what the police told him," *Parliament mein jo hua aap logon ne kiya hai. Chori dakaiti aap log karte hain*". Saying this he tried to snatch away the ID card and vehicle papers.

In one instance, two policemen tried to snatch away a carpet from one Kashmiri who was with his young son. They were later taken to a thana and kept there for four hours and were allowed to leave only after paying whatever little money they had with them (Rs. 70). According to one shawl seller, "I was recently caught by a police man in a colony. He snatched my card away and started asking me all sorts of questions. He kept calling me a terrorist. I requested him to take me to the SHO but instead he took me aside and asked for money. I did not have any so I had to plead with him to let me go. He searched my briefcase thoroughly and finally let me go after warning me never to return to the colony.

What can I do? It is a question of my *rozgar* (livelihood)".

In some localities, police also visit homes of Kashmiris and make inquiries. Even at twelve in the night. "There is no sense of security for us" said a woman in the house. "We have paid Rs. 100 twice in one month (post Dec 13) as the police demanded "*chai pani ka kharcha*". As a result of this kind of harassment, Kashmiris residing in Delhi feel unsafe, humiliated and at the mercy of the local police. It is not even possible for them to go out in the evenings, as they are afraid of being "picked up". One shawl seller said "earlier we would all collect together to have tea before returning home but not anymore. The moment we try to do it, the police tell us to disperse immediately". The most serious outcome of all this has been that "business has come down to 25%. Whereas we should sell more than 300 shawls in one season (September-March). The sale is now reduced to less than 100 shawls".

One whole-seller told us that earlier one would take shawls on credit and return in the evening with the money. "The way I am sitting and talking to you at seven in the evening would have been impossible. At this hour the place would be crowded. Now when these young men come back in the evening it is mostly to return the shawls because there has been no sale that day". Often young salesmen become indebted because they earn less than what they spend on the rent and their food. Or their families have to send them money. A salesman's earning is based on 10-15% commission per shawl or carpet sold. Earlier it was possible to sell 200-300 shawls, this year the average is 40-50. "This year it has been difficult for me to pay rent or even to buy food". Another shawl seller said that a customer responded "*sar par jang hain ab kya shawl loonga*". The cost of these shawls varies in price from rupees seven hundred upwards. They earn a 10% commission

on each shawl. The monetary value of commission on a carpet can run into couple of thousand. In a good year they could earn ten to fifteen thousand after paying for their expenses. This year not one salesman we met was confident of getting close to it. Several had received money from their families back home. Earlier a salesman could earn Rs 600 as commission for each shawl sold. This year their expenditure went up because the STD lines in J&K have been suspended and they have had to ring back home to know that everyone was alright while keeping them informed of their own safety.

A middle aged Kashmiri businessman summed up by saying "*sabko hum dahshatgard lagte hain. Agar hamein alag hi rakhna hain to Jammu ke aage darwaza laga do aur hamein wahin rok do. Jab aa hi gaye hain to itminam se kaam to kar lene dejiye*" (everyone considers us a terrorist. If we are to be kept separate then why not put a gate outside Jammu and stop us there. When we are already here why not let us go about our work peacefully)!

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