

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:125

ANSWERED ON:02.12.2014

PROBLEMS OF IMMIGRANTS IN JAMMU AND KASHMIR

Kumar Shri Ashwini;Meena Shri Harish Chandra

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the immigrants from Pakistan have settled in Jammu and Kashmir since 1947 have submitted a memorandum to the Prime Minister recently highlighting their problems;
- (b) if so, the details thereof along with the details of their demands;
- (c) the reaction of the Government thereto;
- (d) whether the said immigrants have been denied basic rights viz. voting and education rights in the State; and
- (e) if so, the details thereof and the remedial measures proposed to be taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED IN REPLY TO THE LOK SABHA STARRED QUESTION NO.125 FOR 02.12.2014.

(a) to (e): The immigrants from Pakistan settled in Jammu and Kashmir since 1947 have not submitted any memorandum to the Prime Minister recently.

However, a memorandum dated 22.08.2012 from Shri Saifuddin Soz, President, Jammu & Kashmir Pradesh Congress Committee was received from Prime Minister's Office on 27.08.2012.

In the memorandum, the following issues in respect of West Pakistani Refugees who had migrated in 1947 and settled in the State of Jammu & Kashmir have been raised:-

- (i) They have no property rights as they are not the State subject.
- (ii) State Government of Jammu and Kashmir has recommended grant of one time assistance @ Rs. 15 lakhs per family as one time settlement of all these families as relief assistance. This needs to be considered for one time settlement of all these families as relief assistance.
- (iii) Their wards have no rights to seek employment in the State Government services. There is need to create job opportunities in the central services and para military forces for their wards.
- (iv) Grant of soft loans and skill development schemes need to be introduced for their children.

The West Pakistani Refugees settled in the State of Jammu & Kashmir are not the State subjects as per the J&K Constitution. As such, they have no right to acquire immovable property such as lands, houses etc. in the State. They are the citizens of India and have the right to vote in Parliamentary Elections but they do not enjoy voting rights to the State Assembly and Local Bodies. This Ministry has requested the State Government of Jammu and Kashmir to consider conferment of Permanent Resident status to the West Pakistani Refugees settled in Jammu and Kashmir. This issue is under consideration of the State Cabinet Sub Committee headed by Finance Minister of the State. The Committee has not yet formed a view. Once the issue is decided about the Permanent Resident's Right, all other subsidiary benefits would follow automatically.

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In order to examine the feasibility of extending rehabilitation assistances to these refugees, this Ministry had requested the Government of Jammu & Kashmir to provide certain information relating to the West Pakistani Refugees settled in the State. However, the State Government have not provided the complete information so far. The State Government has again been requested to provide the information and have been informed that this Ministry shall consider the package for West Pakistani Refugees of 1947 separately as soon as it is received in this Ministry.

As regards employment in central services like para military forces, this Ministry had already given directions to the Heads of Para Military Organizations in 2002 for allowing recruitment of West Pakistan Refugees settled in the State of Jammu & Kashmir without the condition of having a domicile certificate from the designated authority of the State Government of J&K and allowing recruitment on the basis of a certificate issued by the Sarpanch/Numberdar of candidates' village to the effect that the person belongs to the West Pakistan Refugee category and Electoral Roll to be accepted as proof of being a West Pakistan Refugee for recruitment to Central Para Military Forces (CPMF).

As regards grant of loans to West Pakistan Refugees, the matter was taken up by this Ministry with the Credit Guarantee Fund Trust for Micro and Small Enterprises (CGTMSE) and Reserve Bank of India. The RBI has informed that they have already advised the J&K Bank Ltd., which is the convener bank in the State to take up the matter in the State Level Bankers Committee (SLBC) meeting to impress upon other banks in the State to waive off the requirement of collateral security in case of loans upto Rs. 10 lakh extended to units in the Micro and Small Enterprises (MSE) sector and in turn take guarantee cover under credit guarantee scheme of Credit Guarantee Fund Trust for Micro & Small Enterprises (CGTMSE).