

ONE DAY NATIONAL SEMINAR
ON
TRIBAL WOMEN OF JAMMU AND KASHMIR: LEGAL ISSUES AND CHALLENGES
December 18, 2018

Organiser: School of Law, University of Kashmir, Srinagar (J&K)

Tribes are the ethnic groups having their own customs, cultures, lifestyles that are different from the non-tribal people, and form their own social organization according to their own needs and requirements. Tribals are the most marginalized, deprived and depressed class of people since inception. They have been exploited like anything, despite of number of laws for their development in the Country. India has the second largest concentration of tribal communities in the world next to Africa. There is no doubt that environment, economic status, education, availability of facility, awareness etc. have played a vital role in the welfare of tribal masses. However the issues relating to protection and welfare of tribal communities have been a concern of scholars and policy makers for a long time. The tribal society is described as indigenous communities, their economy and life linked to natural ecosystems and resources, dependent on agriculture, forestry and hunting. As a result of settlements invading and taking control of natural resources during the pre-colonial period and into the early post-independence period, the tribal people have lost authority over their economic resources. The tribal community all over India has been subjected to various forms of deprivation such as alienation from land and other resources. There is an out-migration of tribal people to larger cities for subsistence. The SCs (SCs) and STs (STs) living throughout the country fall in these categories.

Jammu and Kashmir is in the northern part of the Indian subcontinent and covers an area of 3,87,263 sq. km. In the State eight communities vide the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989 and four communities namely Gujjar, Bakerwal, Gaddi and Sippi were notified as Scheduled Tribes vide the Constitution (Scheduled Tribes) Order (Amendment) Act 1991. All the twelve Scheduled Tribes were enumerated officially for the first time during the 2001 census recording a population of 1,105,979. The STs account for 10.9% of the total population of the state and 1.3% of the total tribal population of the country. The STs are predominantly rural as 95.3 % of them reside in villages. The situation of Scheduled Tribes in the State of Jammu and Kashmir is no better than in other parts of country. They also have to face inequality and discrimination. The situation is so complex that the attainment of education, conventional as well as technical and the consequent occupational mobility has not ensured total social change and mobility among these communities. The tribal population of Jammu and Kashmir is among the emerging tribal groups joining the mainstream of planned development to which they have brought a distinct cultural variety. Generally their economy is closely linked with the forests and they are living a substandard life because of primitive mode of livelihood. Majority of them are placed below the poverty line, possessing meagre assets and are exclusively dependent on wages, forest produce and farming.

The peculiar aspect of tribal people of Jammu and Kashmir is their scattered population that inhabits the difficult and remote geographical terrain which is a hurdle to their speedy socio-economic development. The overall Sex Ratio of the ST population is 910 which is higher than overall Sex Ratio (892) of the state and lower than the national average (978) for the ST population (as per Census 2001). The overall Literacy Rate of STs in Jammu and Kashmir is (37.5%) at 2001 census which is much lower than the national average of (47.1%) aggregated for all STs. The corresponding figures for males and females are (48.2%) and (25.5%) respectively, which is much below if compared to those recorded by all STs at the national level (59.2%) and (34.8%). Among the larger tribes, Balti, Bot, Purigpa and Brokpa have registered higher literacy rate whereas Gujjar, Gaddi and Bakerwal have a lower literacy rate than that of the National average. Similar trends are discerned in these tribes in respect of female literacy also.

There are large number of Constitutional Provisions, and statutory laws, particularly for protecting and safeguarding the welfare, interests and rights of the tribals, but they are very much in pen and paper, and for writing down in the answer sheets in Competitive examinations. In practice, most of the tribals do not know about their rights, they do not know even that they have some rights. Some don't even know that law does exist for them. Most of them do not have the tradition to read and right, so they are unaware of the legal provisions and their implementations. It is very much ironical that inspite of the laws for the sake of the tribals, they are still in the process of marginalization and exploitation. The reason of this is the lack of implementation procedure of the Constitutional Provisions and the enacted laws.

Women constitute about half of the human resource potential and overall development of a country is incomplete without them. Women's status is often described in terms of their level of income, employment, education, health and fertility as well as their roles within the family, the community and society. The 73rd Constitutional Amendment Act, 1992 is an important landmark in the history of Indian women's participation in the formation of democratic institutions at grassroots level. The most significant aspect is that the gender representation in the decision-making has been taken into consideration. the tribal women though they are away from the main stream of national life, but they are not kept away from the impact of socio – economic changes effecting the society in general. In this process of change, the tribal woman is forced to adhere to certain norms which may even take away her freedom, her control over the traditional productive system, her house, family and children and even her own life. The fact remains that a large number of tribal women

have missed education at different stages and ignored health at all stages. It is often alleged that the level of aspiration of these women as a group is low and they are quite satisfied with what they are and with what they have. It is most often not true only to womenfolk but to everyone who feels helpless and frustrated. However in order to develop and raise their level of aspiration, adequate educational opportunities are to be provided so that they get motivated to participate, support and also ultimately learn to initiate their own programmes of development.

Against the above background the School of Law, University of Kashmir is organizing a one day National Seminar on 18th of December, 2018. The seminar is intended to develop deeper understanding about the issues and challenges of tribal women.

The broader themes of seminar shall be as follows:

- International recognition of aborigines, indigenous people and tribals
- Tribal women identity, culture and tradition
- Environmental issues and access to natural resources
- Women participation in decision making
- Economic equity, Educational and health Issues
- Tribal women and Constitutional Safeguards
- Access to justice
- Protection and preservation of Traditional Knowledge and Cultural Expressions

Call for Papers

Papers are invited from the academicians, practitioners, researchers, scholars, activists, and students on the issues related to the relevant areas of study. Abstracts would be reviewed by the organizing committee review group. It is also proposed that the selected papers will be published in the form of an edited book with ISBN.

Guidelines for Paper Submission

- An abstract not exceeding 500 words shall be submitted for consideration. The abstract shall provide for the scheme of the research paper. It must contain the synopsis of the paper, subtitles and conclusion indicating the author's perspective.
- Research papers should apply research skills and must highlight specific research problem.
- Abstracts will be subjected to review and only those abstracts approved by the reviewers shall be submitted as full paper for the purpose of presentation at the seminar.
- Word limit for full paper shall be 2500-4000. The final paper must contain a cover page with a brief profile of the authors with E-mail ID, Contact number and address for communication. The papers must follow a uniform format of research writing including the foot note.
- Times New Roman, Font Size 12 with 1.5 line spacing. Foot notes should be in Times New Roman, Font Size 10 with single line spacing.

Important Dates:

Last Date for Submission of Abstracts: 8th of December 2018
Communication of Approved Abstracts: 10th of December 2018
Last Date for Submission of Full Research Paper: 16th of December 2018

Registration Fee:

A fee of maximum Rs 1000/- will be levied from Professionals and Academicians.
A fee of maximum Rs 500/- will be levied from students and Research Scholars.

(Notice: - No TA/DA will be provided to the delegates)

Seminar Committee:

Seminar Host: School of Law, University of Kashmir, Hazratbal, Srinagar

Seminar Patron: Prof. Mohammad Hussain (Head & Dean)

Seminar Coordinators:

1. Dr. Iftikhar Hussain Bhat (Assistant Professor)
Cell No: 9469421704
E-Mail: iftikharveeri@gmail.com
2. Dr. Anna Bashir (Assistant Professor)
Cell No: 9622552501
E-Mail: annabashir@gmail.com
3. Dr. Sofiya Hassan (Assistant Professor)
E-mail: seeme121@gmail.com
Cell No: 09419520261

All abstracts and full length papers shall be sent on these email Ids:

annabashir@gmail.com

seeme121@gmail.com

VENUE:

School of Law, University of Kashmir, Srinagar, Jammu & Kashmir