

Amarnath Yatra: A Militarised Pilgrimage

EXECUTIVE SUMMARY

The Amarnath Yatra is an annual pilgrimage that takes place between July-August to a cave in south Kashmir. What makes the Yatra unique and an important phenomenon to study is the role of the state in the conduct of the Yatra and the how it paves way for non-state actors (especially from outside Kashmir) to hold sway.

Jammu Kashmir Coalition of Civil Society and EQUATIONS conducted a study on the Yatra between 2014-2016. The report is based on data collected from RTIs filed on multiple departments, interviews with government officials in Kashmir, all concerned authorities and organisation, and people in Kashmir, Jammu, Delhi and Ludhiana and secondary sources. The report seeks to **begin** a critical enquiry into religious tourism especially the role of a secular state therein.

The report reveals the following important findings and conclusions:

- Over a period of time, and especially from the 1990s, the demographics of the Yatra has changed, with lakhs of Yatris participating from many regions of India. The number of Yatris participating has increased from mere thousands until 1990, with an increase since 1996 to over 3 lakhs in 2015. While pilgrimages are the second most common reason for people to choose to travel in India, specific efforts have been made by Bajrang Dal and other socio-religious organisations to increase popularity of the Yatra. NGOs which run langars also contribute significantly to participation in the Yatra through their outreach work and fund raising.
- What was traditionally a 15-day Yatra is now conducted for between 45-55 days. The increase in number of days was institutionalised after the formation of the Shri Amarnathji Shrine Board (SASB) in 2001. There has been pressure from socio-religious organisations in Jammu and other parts of the country to increase the number of days of the Yatra. These organisations by their own admission are nationalist organisations interested in furthering the cause of a Hindu state. In this context, keeping the Amarnath Yatra alive and thriving is all the more pertinent for these groups since it is located in Kashmir, not only because it is a Muslim majority region but fundamentally because it has been struggling for its right to self-determination since the times it was ruled by the Dogras, with its demands being the strongest after 1947.
- The Board, which is a statutory independent Board, headed by the Governor, functions as a 'State within the State'. The strings of the Board lie with the Indian government and no government in Kashmir can take up cudgels with the Board and its decisions. The role of the JK government and its departments is to merely extend support to the Yatra, without any questions asked.
- Based on interviews with key personnel of the armed forces, it appears that about 30,000 personnel were deployed in 2015 for the purpose of the Yatra. This is in addition to the camps of the armed forces located on the route, who are additionally activated for the duration of the Yatra. In the case of Amarnath, it was not just that the Board was set up to ensure State patronage, but this was actually only a front, and a premise for the Indian state to deploy its real might – its armed forces. If the Yatra as started by the Dogras was to stifle dissent among the Kashmiris for being forced to accept them as kings, the Yatra in the post-1990s phase was infused with a nationalist agenda. The attitude and behaviour of the armed forces is intimidating towards the Kashmiri service providers, who in some instances have had to face several physical abuse.
- NGOs set up langars or community kitchens along the Yatra route. 75% of the langars come from Delhi, Punjab, Haryana, Rajasthan and Uttar Pradesh. While langars are accountable to follow rules and regulations vis-a-vis menu, waste disposal practices and services that they are allowed/disallowed to provide, it was found that they violate most of them especially linked to the menu and waste disposal practices. Each langar attempts to make its menu diverse and attractive to the Yatris. To dispose waste, they often dig shallow pits and dump waste in these, which during the rains overflow into the river below. Noise pollution due to the presence of loud speakers and cutting ice to set up the langars are other practices which prove detrimental to the environment. Finances of the langar are not scrutinised by the SASB and therefore any misconduct on the financial front go undetected and unchecked.
- The share of Kashmiri tour and travel operators and hotel owners is minuscule since tour operators used are mostly from Jammu or outside JK and very few people stay in hotels due to the presence of the SASB camps along the route. Unorganised service providers include tentwalas, ponywalas, dandiwalas, loadbearers and taxi drivers. This is where the largest number of Kashmiris are employed. Fixing of rates for these services are also not done in consultation with people providing the service, who believe that the rate fixed is inadequate. Since the formation of the SASB, the

unorganised labour have been unable to negotiate for better rates with the Yatris. The rates are publicised through hoardings right from Khanabal. However, the Yatris take this to be the upper limit that needs to be paid and often bargain for fares lower than the prescribed amount and often succeed since the number of service providers far exceed the demand. There is a constant undercurrent, especially between the tent and horse owners on the one side and langar organisations on the other. The unorganised service providers are also vulnerable to abuse and violence at the hand of the armed forces and sometimes even Yatris.

- What is working is the formal and more powerful sector in tandem with socio-religious organisations and the political class towards the establishment and perpetuation of a Yatra, whose history is contested, but which in today's context gains much mileage for the cause of Hindu nationalism. Finally, claims that the socio-religious organisations make, that people of Kashmir gain the most from the Yatra because of economic benefits are not accurate. The Economic Survey, 2016 released by the Directorate of Economics and Statistics, Government of Jammu & Kashmir says "In view of the fact that pilgrim tourists do not add much value to the economy of the region therefore, the increase in number of pilgrim tourists to Jammu or Kashmir does not make substantial impact on economy of the region excepting that it increases some economic activities in the local vicinity of pilgrimage places."
- Given the eco-sensitive and precarious nature of the region, and the critical role it plays in terms of providing water and environmental stability to the Valley, there are serious implications of unregulated large visitations in the two valleys – Lidder and Sindh. Environmental concerns are linked to: carrying capacity, sanitation and solid waste and other environmental concerns like seismicity of the area, impact on glaciers and high altitude flora and fauna. There seems to be a constant effort to increase facilities and infrastructure for the Yatris, increase in the period of the Yatra and ensure increased numbers of people participating in the Yatra. All this is being done without any assessment of the environmental impacts of the Yatra, nor any regulation on the Yatra. No thought is being given to what the implications of these environment impacts on the people of Kashmir would be.
- Rarely does a year go by when there is no conflict linked to the Yatra. On the one hand are the socio-religious organisations who strive to assert their might by arguing for a longer Yatra, with more number of Yatris to be permitted. This becomes another platform for right-wing Hindutva organisations to push their nationalist agenda. For the people of the Valley, for whom the Yatra has become a cultural and economic onslaught, these times of conflict reinforce the mandate for self-determination.
- The SASB and the Government of India do not feel the need to respond to this crisis. Indian secularism and democracy has become the sacrificial lamb in this conflict. Trick and deception are being used by the State to accomplish its goals. For e.g. the tunnels that are to be built are being done as defence projects, so that they are exempt from environmental clearances. The Government of India is well aware that any attempt to build any form of permanent infrastructure of this nature would result in another round of heightened conflict in Kashmir with a likelihood of not being permitted under the environmental law as well. Yet, the State will not apply its strategies to resolving the conflict and instead is intent on bypassing the issue itself.
- Since the 1980s, there has been an increasing trend of Yatras especially in Jammu and Kashmir. Some of these, like the Amarnath Yatra, are coloured with nationalist hues like the Buddha Amarnath, Kauser Nag and Sindhu Darshan Yatras. While some others like the Machail Yatra and Kailash Kund Yatra are the attempt to escalate a localised Yatra into a pan-Jammu / pan-India Yatra with economic motivations at their helm and often patronised by the tourism industry.
- The State clearly privileges the Yatra and the Yatris, while keeping aside the rights of the people of Kashmir. Justice Swatanter Kumar in his judgement of 2012 pitches the right of the faithful against the rights of the Kashmiris. While on the one hand he places the argument in the framework of sustainable development, on the other he argues the cause of comfort for the Yatris. What he suggests as infrastructure necessary for the Yatris goes against the norms of sustainable development. This will not only affect Kashmiris, but will also have an implication for the Yatris since the formation of the ice stalagmite will be affected, as it has been on more than one occasion. Suggestions of artificially constructing the ice stalagmite or using technology to maintain it is must surely be demeaning to the faithful.
- The State comes through clearly as a Hindu state, making Hindus 1st class citizens of the country and all others 2nd class. In Kashmir this takes on a different meaning given that it is a disputed territory, where democratic structures are merely a facade and which is truly under military rule. The use of militarisation to curb dissent and a struggle for freedom, and the use of religious sentiments of the dominant religious community in India come together in a most lethal way in the context of the

Amarnath Yatra. But this is not a loss only for Kashmir but also for India whose constitutional democracy has been done away with. For the truly faithful, it must be a matter of shame that their religion is being used by the State to further its interest and is causing a threat to Indian democracy.

Following are the demands emerging from the observations and analysis of data:

- Restrict the Yatra to its traditional period of 15 days. Very importantly, the faith of the Yatris cannot be instrumentalised to further India's political interests. We also call upon devotee groups to resist this use of their faith.
- De-militarize the Amarnath Yatra. The military has no place in a space of divinity. If the terrain renders the Yatra dangerous then disaster management institutions need to be involved and not the armed forces. There have been no attacks on the Yatra and indigenous groups have been repeatedly committed to this. The people of Kashmir have consistently supported Yatris in times of crises, be it in 2008 with the setting up of langars for stranded Yatris, or saving their lives in the accident near Bijbehara or when Kashmir was facing brutality from the State in 2016, like never before since its formation in 1947, no harm was brought to the Yatris by the Kashmiris. This compassion by the Kashmiris must be responded to by removal of the armed forces from the Yatra route.
- Conduct an Environment Impact Assessment of the pilgrimage and make necessary changes to the numbers allowed, and to its conduct. If indeed tunnels are being planned then these need to be stopped immediately. Construction of the tunnels will seriously compromise the stability of the mountains potentially causing catastrophe, the victims of which could very well be the Yatris.
- Carrying capacity should be scientifically established and regulatory mechanisms should accordingly be put in place.
- If the government has the responsibility of administering the Yatra, it should deliver on them rather than outsourcing it. If langars are allowed to operate between Chandanwari – Cave – Baltal region then they need to be regulated. The number of langars should be rationalised, so should the menu. Discriminatory practices like disallowing entry of Kashmiris in the langars should be actively discouraged by the State.
- The Kashmiri service providers who primarily service the unorganised aspects of the Yatra, namely, tent owners, people who carry Yatris on dandis, porters and horse owners have to be recognised as equal participants of the Yatra as those of the organised sector. Just as the SASB actively engages with the organised sector, the unorganised sector also need to be engaged with and opinions taken into account while planning the Yatra.
- The might that socio-religious organisations wield over the SASB and the conduct of the Yatra is nothing short of blackmail. The threat that there will be communal discontent should their opinions not be accepted should face severe punishment as per the provisions in the Indian Constitution and law. The impunity with which these organisations function and their blatant threats cannot go unpunished. Further, given that India is constitutionally a secular country and not a Hindu state, this integrity needs to be maintained. The State cannot take cues from socio-religious organisations on its conduct while setting aside the people it claims to have concern for.
- Government of India needs to restore the Constitution vis-à-vis the conduct of the Yatra. The democratic fabric which has been run threadbare needs to be re-established. While the SASB Act itself needs to be repealed, in the event that this is not legally possible, it definitely should be cut down to size. The SASB which functions like a state within the state needs to be re-imagined such that it plays only an implementing role with decision making reposed with the JK government.
- Attempts to create more Amarnaths like Buddha Amarnath and Kauser Nag need to be nipped at the bud. The Buddha Amarnath Yatra is already growing by leaps and bounds and before it becomes another site of active conflict, the State needs to put an end to the way it is conducted, if it is interested in the peace that it so often claims to desire.

Jammu Kashmir Coalition of Civil Society

EQUATIONS