Past Protest Record to Deny Jobs, Passports - J&K

Why in news?

The Jammu and Kashmir administration has directed the departments to deny security clearance to passport verification for those found involved in law and order and stone-pelting cases.

What does this mean?

- Police verification and security clearances for passport or government job applicants are a matter of routine in most parts of the country.
- The J&K decision now means that past protest record would be used to deny passport or government job.
- The J&K police would deny security clearance to those "involved in crimes prejudicial to the security of the State, including stone-pelting."
- The circular asks CID Special Branch field units to specifically look into any subject's involvement in law-and-order incidents and related crimes.
- The units are also asked to collect digital evidence from the records of police and security forces.

Is it legally valid?

- The decision to subject applicants for passports and jobs to scrutiny is not illegal.
- Under Section 6(2) of the Passports Act, 1967, passports can be denied to applicants for various reasons.
- These may include likelihood of engaging in activities prejudicial to the country's sovereignty and integrity, or detrimental to its security.
- Those convicted in the preceding 5 years, or against whom proceedings are pending before any criminal court, can also be denied passports.
- As a legal recourse, the Act allows those affected to approach the trial court for a 'No Objection' certificate to get a passport.

What is the government's rationale?

- The Government's position is that the alteration of the status of J&K in August 2019 has ushered in a new era of development and prosperity.
- So, it feels the need to strengthen grassroots democracy.
- It was as a part of this process that the Prime Minister invited leaders of the Union Territory's political parties for a discussion.
- Given these, it is a conscious move now to prevent those with a past protest record from either entering government service or travelling abroad.

What is the likely impact?

- The official list of street protesters swelled significantly between 2008 and 2017 up to around 20,000.
- So, the decision would affect hundreds of families in Kashmir.

- It could result in serious prejudice to the hopes and aspirations of many young men and women.
- There is thus a danger that it may revive the sort of alienation among the youth that led to the stone-pelting incidents in 2008 and 2010.

What should the approach be?

- There are few who still carry a sense of betrayal for the government's actions.
- Any new measures should not add to this and make them feel that some fresh collective punishment is in the offing.
- So, the efforts of the government should only be directed towards building on the current gains.

Source: The Hindu

