

## Political & Economic Notes:

### Real Problems must be addressed to bring Peace in Kashmir

**Kashmir** continues to be on fire. There is an 'elected' government here. But the Central armed forces, protected by special laws, wield the real power. Not a single day passes when at one place or other the Kashmir people had not shed their blood and had not suffered gun shots, injuries and imprisonments in the hands of Indian security forces. All these had become a part of daily life for them and also a potential source of unending tensions, uncertainty and destruction in people's life.

Different parties or coalition of parties were at the helm of power in India in the last seven decades. But the contradiction between the Kashmir people and the Indian ruling classes had only further accentuated rather than lessening.

Tensions in Kashmir, some-times, seem to have subsided or declined. But it is not taking much time for the clashes to blow into big waves of protest. Sometimes, the incidents like the arrest or gunning down of a youth or an act of atrocity against woman seem local or isolated in nature in the beginning. But, in no time, these sparks are spontaneously flaring up into massive prairie fires drawing thousands of people and vast areas into the protest action.

BJP, presently in power at the Centre, and sharing power in Kashmir is always opposed to the national and democratic aspirations of Kashmir people. It had been even demanding the withdrawal of Article 370 of the Indian Constitution which provides a special political status to Kashmir. The Congress, which is presently in the opposition, supports the retention of Article 370 in words. But it had done everything during its long period of rule to make the Article 370 nominal and totally ineffective in practice. The Indian ruling classes were getting away with these actions basing themselves on the strength of their political and armed power. But these actions had only further widened the gulf between the Kashmir people and the Indian ruling classes.

The Indian Govt. had massively dumped various types of central armed forces in Kashmir. These forces are protected by various special laws like AFSPA. These laws leave them free to commit any crime against the Kashmir people and escape the punishment. The deployment of these forces is sought to be justified in the name of protecting the peace and security in Kashmir. But, in reality, their presence as well as activities had become a source of threat to peace, security and normal life of Kashmir people. Placing vast areas under the Disturbed Areas Act, sec 144 and other restrictions; the intervention of armed forces in the context every protest and never ending searches, raids and firings on the homes had placed the Kashmir people and the Indian armed forces in an alien and unfriendly relationship.

There are many instances when the security men had picked up the youth from their homes or on the roads or fields as the suspected terrorists or as their supporters and many of them had never returned to their homes. The people are dying in firings in the context of protests. There are people who disappeared with no information from the police whether they are alive or dead. An investigation by a democratic organisation had located over 8000 graves with no marks to whom they belonged. This organisation had gone around the police stations and courts with an appeal to declare which grave belonged to whom so that the deceased families would know the fate of their kith and kin. Most pathetically, many wives whose husbands had disappeared are uncertain whether they are widows or not. Same is the case with the parents who lost their children and children who lost their father or brother. The investigation by the Jammu – Kashmir Coalition of Civil Society has revealed that 318 children below 14 years had died in police firings from 2000 to 2017. An organisation called, Extra-Judicial Execution Victim Families Association, which had collected and compiled the related facts and evidences, has said that over 1500 Kashmir people had suffered extra-judicial killings in the hands of Indian Security forces.

The Indian rulers show no concern what so ever towards the national aspirations and rights of Kashmir people. When they are required to deal with the Kashmir people, they are relying more on the methods of brutal suppression and economic allurements. They are

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habituated to these methods. It had become an easy method for them to brand the youth as terrorists or suspected terrorists and see a Pakistan hand behind a protest of people to use iron fist against the people.

We have witnessed countless small or big protest movements in Kashmir in the last seven decades. Thousands and lakhs of people had come into the streets defying the prohibitory orders and the armed forces. The participants are from the children of 8 – 12 years age to old people with youth, students and women constituting a major part of them. The immediate causes of protests include the demands like the release of arrested persons; legal action against those who gunned down the people; stating the where about of persons who had disappeared; withdrawal of AFSPA and other special repressive laws and other democratic demands of the people. There are several instances where thousands of people participated in the funeral rallies and meetings of those who were killed in police firings and, sometimes, even of those who were branded as terrorists by the police. There are also occasions when the people came into protest actions demanding the handing over of dead bodies of people who were killed in police firing. In many cases, the demands of the protesters had to be accepted. There are instances when the people had succeeded in forcing the police to dig out the graves to ascertain the nature of killing and the identity of killed ones. On many occasions, the protests continued for days and weeks. There were pitched battles between the protesting people and the armed police. The people defied the death and adopted the forms and methods of protest which they considered effective at the time. There were intervals between one protest and another, but there never was an end to them. A protest which was considered to have died out is, again, bursting out more powerfully at another time.

The 2016 protest is a massive protest action in recent times. The Central armed forces had freely used the pellet guns against the protesting people. The armed police had said that it had become necessary to effectively counter the stone – throwing protesters. Many had died; lost their eye sights and were seriously wounded by the pellet guns. These had inflicted deep wounds in the bodies as well as the hearts of Kashmir people. They remain as unforgettable and irremovable scars of govt's policy of brutal suppression. Use of pellet guns against the protesting people was widely criticised in India.

The killing of Burhan Wani, a young leader of Hizbul Mujaha-deen on July 8<sup>th</sup> 2016, did not evoke a demoralising impact on the Kashmir youth as wished by the Indian Govt. On the contrary, their glamour for him had grown. The Indian Govt. has continued its suppression of Kashmir people in the post-2016 protest period. As the Chief Minister of Jammu and Kashmir has said in the Assembly on Jan 12<sup>th</sup> 2018, in 8 months since Wani's death on July 8<sup>th</sup> 2016, 51 people have died in police firings. 9000 people were injured (368 by bullets; 6221 by pellets; 4 by pava shells; 2449 by other means) in 8 districts. On March 9<sup>th</sup> 2018, the govt. has said that 11000 people were booked by the police for stone pelting after July 8<sup>th</sup>, 2016. These acts of repression together with the govt's persistent attempts to shield the crimes of armed personnel against the people and the continuation of several special repressive laws like AFSPA are enhancing the discontentment, anger and protest of Kashmir people against the Indian rulers. This situation is only pushing the Kashmir people, especially the youth, into desperation and look for more militant forms of protest and struggle.

Certain recent developments in Kashmir are quite disturbing.

On Jan 27<sup>th</sup> 2018, three youth have died in Ganpowra village of Shopian district in a firing by the Officers of 10 Garhwal Rifles unit. It triggered a district wide protest. It compelled Mohammed Mehbooba Mufti to order for a probe into the firing and file a FIR against the Major Aditya Kumar and others of 10 Garhwal Rifles Unit. But Major Aditya Kumar's father had filed a petition in the Supreme Court calling for quashing of the FIR against his son on the plea that his son was just doing his duty when he was firing against the protesting people. Curiously, the Attorney General of Indian Govt. has admitted in the Court that the Kashmir govt. must not have filed the FIR as it did not get the permission from the Centre for it. The Supreme Court has stayed the legal proceedings against the Major Aditya Kumar. The Chief Justice Dipak Misra has ordered the Jammu-Kashmir Govt. "not to take coercive steps" against the soldiers of 10

Garhwal Rifles. On March 10<sup>th</sup> 2018, the Indian Govt. told the Supreme Court that there is a total bar on the JK Govt.'s registration of FIR or the initiation of criminal proceedings in the Shopian firing. It said, the FIR against Aditya Kumar was a "nullity." The people's protest and the police firings against the protesting people continued even later.

The acts of atrocities and killings by the Security forces are quite naturally bringing the Kashmir people into the streets in protest. The pressure of this protest will be more strong and direct on the Govt. in Kashmir. So, the Kashmir Govt. has two options to deal with this situation. One: To seek for Centre's permission for criminal proceedings against the personnel of armed forces who had used guns against the protesters. But, as admitted by the Union Defence Minister in Rajya Sabha on Jan 1,<sup>st</sup> 2018, the Union Govt. has received a total of 50 cases (under the AFSPA, 1990) from the Kashmir Govt. for prosecution, but no permission was given. In a situation like this, the Kashmir Govt. will simply wash off its hands. Second: The Kashmir Govt. orders for probe and even files FIR against the Army personnel when there is a firing without waiting for Centre's permission. But once it is contested in a Court, the criminal proceedings will be nullified by the Court as well as the Union Govt. This is what has happened even in the case of Shopian firing on Jan 27<sup>th</sup> 2018. In both instances, injustice is done to the people who died in police firing. Here the drama of filing the FIR by the Kashmir govt. and its nullification by the Court will give the rulers enough time to fizzle out the people's anger and protest.

### **Gruesome Crime in Katua**

Gruesome crime in Katua against a child of 8-years age right in this period made every civilised person to bow his head in shame.

On Jan 10<sup>th</sup> 2018, an eight-year's child belonging to a nomadic Gujjar-Bakrawal community was abducted from Rasna village in Katua district by a gang. The child was kept in captivity in a small temple for a week. She was sedated, raped, suffocated and bludgeoned to death. Her body was found on Jan 17<sup>th</sup> 2018.

The protest from the people of Gujjar community had compelled the Crime Branch of JK govt. to order for probe and criminal proceedings. It was revealed that the crime was committed right in the temple. 8 persons were involved in the crime. Shanji Ram, temple care taker, 4 police officials, 2 special police officers, Deepak Khajuria and Surinder Kumar have been charged with direct involvement in the crime and a SI and a Head Constable have been accused of helping to cover up the crime.

The Hindutva forces in Jammu, including the BJP, openly stood by those involved in the ghastly crime. A Hindu Ekata Manch has come up to defend those who had committed the crime. This organisation has openly accused the Crime Branch of JK police that it framed the case against the accused only because they were Hindus. It took out rallies to oppose the case and they were participated by two BJP Ministers (Chandra Prakash Ganga and Lal Singh ) of JK Govt. The two BJP Ministers had to resign under much pressure from the people and, that too, as an eye washing measure. On April 9<sup>th</sup> 2018, the Jammu wing of Bar Association has prevented the Crime Branch from filing the charge sheet in the Court. It also called for a bandh on April 11<sup>th</sup> 2018. In one word, Katua lawyers have joined the band wagon of Hindutva forces in the campaign against the case. The Crime Branch's investigation faced many odds. Swetambari Sharma, lone female member of SIT and the Deputy SP said: "The people we believed were involved in the gruesome rape and murder of that eight-year old angel, and their relatives and sympathisers, including a multitude of lawyers, left no stone unturned to disrupt our investigation. They went to the extreme of our humiliation and harassment. But we stood our ground firmly till the end".

The abduction, rape and murder of Katua child was a part of conspiracy to drive out Muslim Gujjars and Bakrawals from Jammu. In Jammu, a predominantly a Hindu populated region, BJP is dead set to further tighten its political and communal hold on Jammu. Eversince PDP-BJP combine came to power in Kashmir, it has intensified its attempts to polarise the people communally. Hindutva forces chose to terrorise the people of Gujjar –Bakrawal community to realise their aim. Katua crime came as part of it. Welcomingly, the people and democratic

forces in India and the world have widely come out condemning and protesting against the ghastly Katua crime and questioning the policy of Indian rulers towards the Kashmir people.

All the developments in Kashmir only show that the Kashmir people are being pushed to the wall.

The Indian ruling classes must learn from their own experience in Kashmir in the last several decades.

The methods of suppression, slander and manipulation cannot help to win the Kashmir people. In reality, all such methods had only further widened the gulf between the Kashmir people and the Indian rulers and strengthened the peoples' resolve and determination to defend their own rights. The methods of blaming others for the Kashmir problem may, at best, temporarily divert the attention of Indian people but will not help finding the solution to the problem. The attempts to communally divide and polarise Kashmir people are wrought with dangerous consequences not only for the Kashmir people, but also for India as a whole. They would only make the resolution of Kashmir problem more difficult, more complicated and land Kashmir and India in the quagmire of new problems. The Indian rulers must realise that Kashmir people are strong and unshakable in their national and democratic aspirations. Kashmir people's love for their own culture, language and life style and urge for a free and democratic economic and political life are strong. One who cannot understand this is sure to fail to understand the Kashmir people. The Indian ruling classes must know that the vast masses of Indian people respect the national and democratic aspirations and rights of Kashmir people and they never accept the brutal suppression of the Kashmir people. They cannot be carried away by the national chauvinism. It is heartening to see the Indian people increasingly expressing their sympathy and solidarity towards the genuine aspirations, rights and struggles of Kashmir people. So, a small but essential step towards understanding and addressing the real problems of Kashmir people can be to create democratic, peaceful and congenial atmosphere and conditions in Kashmir where the Kashmir people can express their national and democratic aspirations and views freely and without any fear.

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