

Jammu and Kashmir People Betrayed

Dialogue and Delimitation

Prime Minister Modi almost two years after the abrogation of article 370 and 35A initiated a dialogue with the 14 political leaders of erstwhile state of Jammu and Kashmir on 24th June 2021. The move came after the passage of Jammu and Kashmir Re-organisation Act 2019, and splitting of erstwhile state into two union territories. Among the attendees of the meeting were the People's Alliance for Gupkar Declaration (PAGD) which comprises of among others J&K main parties like PDP and National Conference. Other invitees included were the J&K Apni party, People's Conference, J&K National Panthers Party, the BJP and the Congress.

Union Home Minister who was present at the meeting said "delimitation exercise and peaceful elections are important milestones in restoring statehood as promised in parliament".

The government is clear that there is no going back on the article 370. The agenda for the govt. for the meeting is to discuss the delimitation exercise underway for the assembly elections.

The Gupkar alliance spokes person M.Y.Taragami said it is disappointed with the outcome of the meeting with prime minister especially at the absence of taking concrete steps to end siege and atmosphere of suppression that has choked since 2019. He said any assembly election must be held only after restoration of full statehood for J&K.

Mrs. Mufti focussed on restoration of article 370, talks with Pakistan and release of political prisoners. Congress leader Ghulam Nabi Azad said almost 80% of parties spoke on article 370 but the matter is "sub judice." both Mr. Azad and Mr. Farooq Abdullah stressed on restoration of statehood.

On Aug 5th, 2019, Indian govt. unilaterally issued a constitutional order of revoking Kashmir's special status, article 370 and bifurcation of the states into two Union Territories. The special status of Kashmir was taken away by the erstwhile governments and the status is confined to books and records. The BJP led central govt. took a step ahead with the abrogation of article 370 and removed the special status and autonomy of Jammu and Kashmir from the books and records also. Promises made to Kashmiris which were recorded by United Nations were also ignored and the Central government

attempts to unite the region with India resulted in gross violation of human rights.

Committed to the Imperialists – Hoodwink the People

Central government claims that it is committed to the overall development, employment of the people of the valley but in reality they are committed to the imperialists and allowing corporates to loot our natural resources. “800 central laws become applicable in J&K after it got UT status”, Union Minister Jitendra Singh said at a meeting in Srinagar in July 2021.

The siege in the valley has not just choked the economy and human lives but has alienated people from having access to rights and freedom, access to communication, freedom of speech, freedom of expression etc.

Most of the Kashmir’s economy is run by horticulture. But they faced a setback as the siege started. Over 20 percent of J&K population remained unemployed through Aug-Sep 2019 and Jan-Feb 2020. Niti Aayog’s export preparedness index, released in Aug 2020, the position of Jammu and Kashmir is at the 36th rank.

The Forum for Human Rights in Jammu and Kashmir co-chaired by former Supreme Court Judge Madan B Lokur in its report covered the situation in Kashmir from Aug 2020-Jan 2021. The report paints a grim picture of civilian security in the UT, the fatalities of both civilian and security forces have increased since last year. The economic conditions in Kashmir have been dismal, made worse by the lock down as can be seen by various parameters. Forum noted in its report the DDC elections held in Dec and changes to land laws led to further erosion of the political and economic rights of the people.

As of Jan 2021 unemployment in J&K is 16.6 percent almost twice that in the rest of India. Health care is still restricted and the local and regional media have not regained what little independence they had, the forum reported.

The education sector in Kashmir is the worst hit as schools and colleges remain shut and students minds are constantly engulfed with depression. During the lock down at several places bunkers and barricades were erected overnight in schools and colleges across the valley.as troops occupied them.

In Kashmir issues like lack of running water, poor medical infra-structure, erratic electricity and many more have adversely affected the health care services available to the public. If a fire breaks out people have to go by themselves to the fire service station. People can’t go to hospital, they can’t

communicate with their loved ones, they can't earn a living, everyday life is paralysed. Kashmiris are experiencing a sense of exclusion and humiliation.

Khurram Parvez, human rights activist based in Kashmir said while parts in India have witnessed police brutality and torture at different instances, **in Kashmir "torture is never ending process."** There are many mass graves in the valley, the Jammu Kashmir coalition of civil society (JKCCS) in its report said there are unmarked graves and mass graves. There are around 7000 odd unmarked graves. Many civilians are killed. In Kashmir there are two narratives, a narrative of people of Kashmir and a narrative of Indian armed forces.

Repression–Unmarked Graves

Under a policy started in 2020 Indian authorities have buried scores of Kashmir militants in unmarked graves, denying their families proper funerals. The policy has added widespread anti India anger in the region. Authorities say the policy is aimed at stopping the spread of the Corona virus. But human rights activists and residents say it is an attempt to avoid large funerals that fuel more resentment against India.

3.5 to 5 lakh migrant workers from the valley have been sent back by Indian govt. before Aug 5th just like the tourists were sent back hurriedly. Govt. employees have been made to sign an agreement to be part of one of the two union territories. The govt. doesn't want any other voice other than its own.

On march 11, 2020 the Ministry of Home Affairs informed the Rajya Sabha that "A total of 7375 persons were arrested following the revocation of article 370. Except 451 all are released, the MHA had said. But JKCCS contests these figures and says according to the organisation over 1000 persons are still kept in various jails. JKCSS coordinator Khurram Parvez demanded an urgent release of Kashmiri political prisoners in the wake of Covid pandemic and said if anything happens to a single prisoner it will be the responsibility of the State.

Since last month the Sikhs of the valley Sikhs are at a heart of a so called 'love jihad' narrative after a Sikh woman was whisked away from her Muslim husband in Srinagar and married off to a Sikh man. The actual concerns of the valley are as Sikh leader Jagmohan Singh Raina says – "minority status in J&K, reservation in jobs for their children, recognition of Punjabi language and political representation". According to the Pradhan of Shatrugaon village, an all Sikh village their anger is not towards the Muslims but the central govt. for ignoring Sikhs of the valley and for highlighting them for the

wrong cause. In a bill passed in Sep last year, Punjabi is excluded from J&K list of official languages. They have been demanding that Punjabi be restored as an official language.

Delimitation Agenda

By giving preference to the agenda of delimitation over people of Kashmir the central government has sent across the message that people don't really count in its idea of democracy. The only thing that counts is delimitation of constituencies in J&K and this is being peddled as the very elixir of democracy.

Delimitation commission headed by Justice (retd) Ranjana Prakash Desai in July, 2021 met several leaders of national and regional parties, administrators and civil society groups in Jammu and Kashmir. The commission stated that it would base its report on the 2011 census and would add at least seven more seats to 83 member assembly of the erstwhile state. Commission stated that it has taken into account representations made by 250 groups comprising of 800 people. 24 seats reserved for PoJK would not be delimited in this process. That means overall the number of seats in the legislative assembly of UT of J&K will be increased from 107 to 114. A.G. Noorani, constitutional expert said that delimitation commission's visit is to fulfil the vision of the BJP's vision document- i.e more seats to Jammu and to wipe out the political setup in J&K and to establish a new political order.

PDP boycotted the delimitation commission and said "there are apprehensions. The outcome is preplanned, it will further result in political disempowerment of J&K's people and is aimed at realising the political vision of the particular political party."

Congress in its memorandum said it would be meaningless until statehood is restored. Statehood is imperative for the restoration of the democratic process in Jammu and Kashmir.

National Conference delegation met the commission expressing hope that it will work in a transparent and fair manner. The circumstances that the commission has been constituted is unique and its findings can have far reaching consequences in shaping the future of J&K. History will judge its decision and role critically and if we fail we shall fail our people and the nation as a whole.

BJP raised demand of unfreezing the 24 seats falling in PoK and to grant reservation for Kashmir Pandits, SCs and STs. Apni Party delegation urged to expedite the process of delimiting the assembly constituencies by involving

all stakeholders. They said J&K is run by bureaucrats. Bureaucracy cannot be the substitute of democracy.

PM Modi said in the 24th June meeting that New Delhi wanted to begin a democratic process in Kashmir, but it doesn't sound convincing. He even said he wanted to end "dilli ki doori" as well as "dil ki doori" with J&K. But distrust exists not only between New Delhi and the politicians but also between people of J&K and New Delhi as well as people and their local leaders.

The Centre doesn't want to rush ahead with elections in J&K without cutting the Kashmir based parties particularly Gupkar alliance who won DDC polls defeating BJP. In fact centre would be far more interested in diminishing whatever little legitimacy Gupkar Alliance gained during the DDC elections. For Gupkar alliance, treading this precarious situation is a razor's edge walk. If they fail to challenge Centre's action since 2019, they will lose their acceptance fully in their constituencies. If they are too aggressive, they run the risk of persecution. BJP's interest is best served by seeing them bleed at both the edges.

Struggle to Win Back

Ultimately the Kashmiris are the ones who are suffering. Kashmiris have been living in a conflict zone. They felt betrayed and hurt not only with the present but the past rulers as well. They lost trust in the ruling classes. Scotland which was part of the United Kingdom for more than 300 years was allowed to separate from England by a referendum conducted in 2014 without it being called treason. Canada sought opinion for separate statehood of French speaking Quebec people; majority opted to stay with Canada. A territory can be controlled by force but not its people. The ultimate decision on Kashmir should be left to the people of Kashmir only. The continuous military deployment, human rights violation, curfews, the shrinking economy and the Covid pandemic have shattered their lives and livelihoods. They have to unite and struggle to win back what they have lost and to live with dignity and self respect.