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1 The sacred shrine of Shiva Vijayeshvara, Bijbehara-Kashmir

By Virendra Bangroo

THE town of Bijbehara or Vijbror is 28 miles from Srinagar and two and a half miles from district headquarters Anantnag. Vijbhor is derived from Vijayeshwar and was the site of an ancient sacred shrine of Shiva Vijayeshvara. The site was one of the famous tirthas of Kashmir.

The place has a hoary past and king Ashoka, as per the account of Kalhana, replaced the stuccoes enclosure of the Shiva Vijayeshvara temple with that of stone. The king built two temples within this enclosure called Ashokeshvara.

Being a famous tirtha of Kashmir the temple must have gone through a number of additions and alterations. During the time of Raja Susala (1112-1120) the rebels used the temple premises as fortification. The temple and the town were burnt down during the reign of king Ananta. King Ananta at that time was residing in the tirth of Vijayeshwara. Raja Kalasha (1163-1189) restored this shrine and embellished the temple with a golden Kalasha.

The temple and the ancient linga of Vijayeshvara were completely destroyed by Sultan Sikander.

Aurel Stein visited the place in 1889 and found some ancient slabs and architectural fragments on the bank of vitasta. According to him the local Purohits also confirmed to him about the ancient site which was 15 feet below the surrounding terrain. General Cunningham visited this place in 1847 and found the ruins of an ancient temple, which he attributes the temple of Vijayesha. The story of the ancient site mentioned in Mahatmyas and the historical accounts of Kalhana and Jonaraja does not end here. The sanctity of the area remained alive in the oral traditions (shruti).

The traditions never die and the same is true about the sanctity of the Vijayeshvara shrine. The local Purohits, as stated by Kalhana, were aware of its exact location: the river bank, opposite the bridge, though the site was destroyed hundreds of years ago by the Muslim fundamentalists.

The temple being situated on the pilgrim route to Martand and Amarnath never lost its importance. In 1859 Dogra ruler Ranbir Singh built a temple a furlong away from the old site on the National Highway. The temple is presently known as Harischandir temple but Stein refers it as the new temple of Vijayeshvara. It is said to be built of the stone materials of the ancient temple.

The temple is made up of stone and stands on an 8 feet high adhistana. Instead of the pyramidal roof, the stylized ancient architecture of Kashmir, it has a curvilinear roof, which was adopted by the Dogras from the temple architecture of north Indian plains. Three golden Kalsas and a pointed spire surmount the temple. The temple has a circumulatory path. Inside the temple there is a pitha having eleven lingas called Ekadash Rudr, which is the main pitha for worship. Besides it, there is an idol of Ganesha, which is of 2-ft height.

There are three huge Chinar trees in the compound of the temple. There is a sculpture of Nandi or Vrashab in the temple compound besides many fragmented sculptures of ancient date. A peculiar stone called Kah-Kah pal is a curiosity for the pilgrims and tourists alike. As per the local belief the stone could be only lifted by eleven individuals using only index finger. In Kashmiri the Kah-Kah pal means a boulder lifted by eleven individuals. Nothing is known about the origin and historicity of this boulder but it has been there since times immemorial, fascinating the public and also issued a message that unity is strength.

Pandit Harijilal was looking after the temple till 1990. Dogra ruler Pratap Singh gave his forefathers the charge of temple maintenance. 160 canals of land were also attached to the temple as Jagir. The land is located in the nearby Pazalpora village. The revenue collected from the land was used for the upkeep and maintenance of this temple and also to arrange food and accommodation for the pilgrims and sadhus on their way to holy cave, Amarnath. The Chari Mubarak used to reach the temple on the sixth of Shravan Shakul Paksh.

In the close vicinity of the temple is the Mughal garden. Pt. Jawahar Lal Nehru is said to have visited the Mughal garden a number of times and relaxed under the shade of the Chinar tree. The place as mentioned earlier gives boons. Bathing in the river vitasta one gets rid of crores of sins and attain salvation in the either world. By dispersing ashes of the departed souls, one could achieve moksha. Smt. Vijayalakshmi Pandit as per the wishes of her friend Ms. Naidu dispersed her ashes at the Gath of the temple and performed her last rites. The state government made the arrangement for her visit and a priest and friends accompanied her.

As per Sh. Trilokinath Tikoo, age 62, resident of Bijbehara, he along with his three friends. Sh. Ved Lal Tikoo, Sh. Bansi Lal Tikoo and Sh. Dwarka Nath Raina were the first to visit the temple around 4 AM and offer worship regularly till the mass exodus of Kashmiri Pandits in 1990.

In 1986 there was widespread violence against the Kashmiri Pandits. The fundamentalist mob of the nearby villages damaged and desecrated the temple and broke the sacred linga and threw it in the river. It was only after the repeated appeals by the locals the government came into action and ordered the restoration of the temple. Professional divers were called and the lingas were collected from the riverbed and restored back in the temple. Till 1986 the temple was covered with a mud compound wall and later on it was replaced by a concrete one with iron grills and barbed wire.

In the aftermath of exodus of Kashmiri Pandits in 1990 these abodes of god were left unattended. Pandit Harjilal and his family also left the place in March 1990 to an unknown destination.

****Pandit Trilokinath Tikoo presently resides at Laxmipuram Colony, Jammu; Pandit Vedlal Tikoo expired in 1998 at Bijbehara; Pandit Bansilal Tikoo presently stays at Burnai, Jammu; Pandit Dwarka Nath Raina is presently residing in Udhampur.***

2 *Farooq pulls audiences from his hat, then talks through it*

By Sankarshan Thakur

CHRAR-I-SHARIEF, Sep 22: Dr Farooq Abdullah hits the poll trail in an electric blue chopper but his key campaign vehicles are hired trucks that carry the same band of National Conference (NC) supporters from venue to venue. It hardly seems to matter that it is the same set of people he addresses and the same set who do the applauding at fixture after fixture; at least they keep this trail from dropping dead, keep the illusion alive.

Without this lumbering caravan of mud-spattered lorries, the chief minister's sparking helicopter is better grounded on a forlorn corner of the tarmac at Srinagar airport. "If the trucks don't leave ahead," an NC organiser says matter-of-factly, "there will be no meeting because there will be nobody to address."

Unfortunately this afternoon, Dr Abdullah's chopper arrived at Charar-i-Sharief a good half hour ahead of the trucks and the truth got full play on the compounds of the renovated shrine.

There were not so many as a handful on the barricades and when someone on the podium began shouting welcome slogans as Dr Abdullah walked up from the helipad, he heard only his echoes from their loudspeakers in response.

Dr Abdullah was furious. "Why, why", he demanded of an aside, "Why do you get me into situations like this? If you cannot organise a meeting, don't call me and I am happy sitting at home, but don't get me into this."

From where he stood, on a makeshift bridge behind the shrine, he could only see policemen and paramilitary commandos pottering about. "I haven't come here to address policemen, where are the people?"

The people were there, of course. The shrine of Charar is a draw for devotees any and every day. But very few of them were even bothering to concern themselves with all the bluster and commotion that a Chief Minister's public meeting can create. "*Yeh tamasha bahut dekh liya*, said one of them as he walked away after paying obeisance at the sanctum, *Yeh neta log, khas kar yeh Abdullah parivar ke log, sirf humse lena chahte hain, dena nahin. Ab hamare paas inko dene ke liye kuchh nahin.* (Enough of this tamasha. These leaders, specially the Abdullah family, only know how to take, not how to give. Now we have nothing to give.)"

Someone came on to the public address again and announced the Chief Minister had arrived. "Please come, wherever you are, Dr Abdullah has come to address you, come and gather in the compound of the shrine," he appealed, "Please come please come, the Chief Minister has arrived".

A few came but their act only accentuated the embarrassment; it was evident that most people in the hamlet of Charar, settled on semi-barren plateau overlooking the shrine, had decided not to bother.

Dr Abdullah would not mount the podium. He stood at the back surrounded by an anxious gaggle of party leaders and policemen.

"Just a few minutes sir, just a few minutes, there was some misunderstanding about the timing of this meeting perhaps," one of them pleaded, "the people will come, just a few minutes".

Dr Abdullah stood there, at once angry and mortified, his lips pursed, his fingers tapping on his knuckles. "This is what terror does to you," he said, "These are my own people but they will not come out for fear that if they do they will be killed by the militants. This is just fear, this is what Pakistan has done to Kashmir, they are trying to kill democracy here."

But the constituents in Charar-e-Sharief's one lane bazaar mocked at Dr Abdullah's feeble attempt to seek advantage in adversity. "It is not the fear of anybody," a shop owner said later, "it is just that he and his party have done nothing for years, why are they trying to seek ideological cover for their lapses? Dr Abdullah himself never comes here unless he is in trouble of some sort. Does he bother when we are in trouble?"

You don't hear these voices in Chrar alone. You hear them Gulmarg and in Ganderbal, in Pattan and in Pampore, in Chadoora and in Zakoora, in the towns and hamlets and villages all across the Valley: We do not want the Abdullahs because the Abdullahs have not given us the feeling they wanted us.

Dr Abdullah eventually did get onto the podium and the meeting did get off the ground, but not before the hired caravan of trucks had arrived, laded in the NC's colours thrumming with drumbeats.

The same people, singing the same songs and shouting the same slogans as they had at the previous rally in Chadoora, downhill from Chrar in the Budgam countryside.

"It is such a pleasure to see you turn out in such large numbers," Dr Abdullah opened his speech, "I have come from a meeting in Chadoora where too I had a similarly enthusiastic reception, where too people had defied the fear of the gun and turned up, just like you."

How true that was and how false it all rang.

(Source: Indian Express)

3 *Militant Sayyids-III*

'Islam in its origins is an Arab religion. Everyone not an Arab who is a Muslim is a convert. Islam is not simply a matter of conscience or private belief. It makes imperial demands. A convert's world-view alters. His holy places are in Arab lands, his sacred language is Arabic. His idea of history alters. He rejects his own; he becomes whether he likes it or not a part of the Arab story. The convert has to turn away from everything that is his'.

--V.S. Naipal, a Nobel Prize

Laureate, Prologue to Beyond Belief

By Prof. M.L. Koul

THE so-called researchers in the Shah-i-Hamadan Institute set up under the aegis of the University of Kashmir, Srinagar seem to be motivated by sectarian prejudices when they extol and trumpet the role of Sayyids and Sayyid-Sufis in Kashmir in blatant violation and transgression of historical facts and other relevant materials. The fact remains that the Sayyid foreigners are responsible for erosion and destruction of indigenous ethos that had formed as a result of historical, cultural and civilisational processes. The version of Sayyid influx which they present is the privileged part of Islamic history in Kashmir.

As is well known Kashmir as part of a vast cultural and civilisational mosaic had existed and emerged as a distinct identity much before the advent of these foreigners and had made amazing contributions to all segments of human knowledge and development. And no serious researcher can easily ignore it or berate it. That the Sayyids were responsible for transmuting the religious complexion of Kashmir and sowing the bacilli of iconoclasm in Kashmir is being glorified through re-inventions, distortions and farrago of unfounded constructions. No attempt can be evaluated as laudable if Kashmir is presented as the creation of some foreigners in terms of its origins, its store-house of myths and traditions, its literary treasures and aesthetic theories and finally its history of evolution and flowering. The researchers appear to be 'turning away' from Kashmir and trying hard to justify the scars inflicted on the essence of Kashmir, its soul, by the foreign zealots and proselytizers.

The Sayyids and Sayyid-Sufis, perhaps two sides of the same coin, poured into Kashmir in the wake of entrenchment of Muslim rule in Kashmir. The majority of them came from Persia and Central Asia where they had suffered severe persecution at the hands of Muslim rulers abhorrent of their political activities and religious predilections. Sayyid Sharf-ud-Din under persecution in his native land fled to Kashmir where a Hindu ruler, Suhadeva, granted him refuge and permission to practice and preach his religion. Mir Ali Hamadani alongwith seven hundred Sayyids was forced to abandon his native land by Timur who detested all Sayyids including Kubrawi Sufis. Mir Mohammad Hamadani, son of Mir Ali Hamadani, accompanied by three hundred Sayyids, poured into Kashmir in the times of Sultan Sikandar who at his prodding and motivation unleashed a genocidal war on the native population of Hindus. Ultimately a trickle changed into a torrent and thousands of Sayyids flooded the territory of Kashmir. They had hide-bound views on religion which motivated them to extirpate infidelity from Kashmir and with few exceptions had personal ambitions of gaining positions of power and panopoly.

Every student of Kashmir history is aware that Zain-ul-Abidin after his demise was followed by a crop of worthless and incompetent rulers. There was total chaos and anarchy prevailing in the territory of Kashmir. The Sayyids proved deft enough to utilise the chaotic and turbulent conditions to their advantage and missed no opportunity to entrench themselves in various layers of power structure. They emerged strong and formidable and gained absolute sway over the entire political scene. They cornered high positions and lucrative offices for themselves and their kinsmen. Rich and affluent they married in royal and prestigious families. Dazzled and baffled by the enormity of their wealth and assets the native converts seethed with anger and burning in their hearts as they were treated as low as dust, an expression from Srivar, a noted historian of Kashmir. The Sayyids as known to them all had come to Kashmir as punies, but through the lavish patronage of Muslim rulers of all hues they rose to the positions of power and pelf. As both power and riches have a corrupting impact the Sayyids grew haughty and arrogant too

and maligned and hated the neo-converts as brahman-zadas (sons of brahmans), half Muslims, deviants, and idolators. Capitalising on their title of Sayyids they missed no opportunity to brighten their personal prospects, amass as much of wealth as they could and worm their way into money-spinning positions.

Records Srivar, "these foreigners had become rich after coming to this country and had forgotten their previous history, even as men forget their previous life on coming out of the womb. They oppressed the people".

The Sayyids in corridors of power manning the state machine were so much self-engrossed that they did next to nothing to ameliorate the lot of converts who were left high and dry after their forcible conversion. They, in fact, chopped off every twig from the tree of mercy. They were ruthless in fleecing people, oppressing them and though expected to be models for emulation they flouted all norms of decent moral conduct. They were highly corrupt and venal. They exerted maximum to extract as much of booty as they could. They were the worst exploiters that the Kashmiris of all shades had ever seen and known.

Writes Srivar, "Accepting bribes by them was virtuous, oppressing people was wise and indulging in drinking and sex was happiness".

Sayyids had a deep streak of bigotry in their mental structure. They opposed tooth and nail the policy projections of Zain-ul-Abidin regarding rehabilitation of the Hindus who had fled their land in the wake of genocidal war waged on them. The tryst of Hindus with peace and respite proved short-lived when Sayyids launched a furious campaign of calumny and hatred against them forcing them to quit their native place or else get converted. In the fag end of Hassan Shah's reign the Sayyids got the Hindu places of worship looted, ransacked and burnt. They were cruel to Hindus, terrorised them and reduced them to the position of dust in their own land which they had nurtured through ages. Sayyids having come from distant lands for refuge and shelter devastated Kashmir and reduced it to a jungle where wild and ferocious animals had a free play.

Under the hegemony of Sayyids the Hindus could not even lodge a complaint if their properties were looted or trespassed. A respectable Hindu lodged a mild complaint against the trespass of his land to a Sayyid officer who out of religious hatred fiated the destruction of his entire property and also the devastation of properties belonging to all Hindus living in that locality. This incident can typify the treatment meted out to the natives not bearing the Islamic tag. They were the same brand of Sayyids that had actually fled their lands due to persecution and found shelter in Kashmir already under Muslim hegemony.

To detail it out further the Sayyids were wild crusaders against the native Hindus whose position had already reduced to a wafer-thin minority. They always kept them on tenter-hooks, denied them safety of life and limb and incessantly harassed them. Under the instructions from Sayyids the squads of Muslims entered the 'private houses of Hindus, ate from their pots, disrupted their usual modes of worship and indulged in bouts of drinking and carousing'. They were looters who robbed the converts and Hindus alike of their 'domestic animals, rice and other necessities of life and the most avaricious among them went to the extreme of killing them in their own houses'. The lands belonging to Hindus were confiscated, thus depriving them of sustenance. A well-known physician, Buvaneshwar by name, was barbarically killed and his decapitated head thrown on road to instil terror among people dead-set against their oppression.

A vaishnavite Brahman, Muni, rose in open revolt against the Sayyid oppressors who were out to decimate the whole race of Hindus in Kashmir. The homes and hearths of Muni were ruthlessly ravaged and destroyed. His supporters met the same fate. Women-folk were lifted and sold to zealots for a price.

Tazi Bhatt, a local neo-convert, though a fluke, raised a banner of revolt against the Sayyids when they rebelled against Hassan Shah, the Muslim ruler of Kashmir. He represented the wide-spread sentiment against the Sayyids as oppressors when he crusaded for their expulsion from Kashmir and confiscation of their incalculable assets which they had amassed in Kashmir. Hassan Shah sensed the trend of events and to ward off a popular uprising he ordered the externment of a large number of Sayyids from Kashmir. There was a lot of jubilation over the development and people heaved a sight of relief as they had plucked

out a painful 'thorn' from their body politic. Tazi Bhat was hailed and cheered as a national hero and his graph of popularity notched upto an unprecedented mark.

Says Srivar, "when the country was rid of these 'thorns', people were happy under the good administration and they occupied themselves in marriages and festivities in building good houses in dancing and processions and they thought of nothing else".

The extreme popularity and political strength of Tazi Bhatt was not savoured well by Malik Ahmad who was the Prime Minister. With a view to undermining Tazi Bhat's position he as a strategem opened channels of contact with the expelled Sayyids who had not gone to their native places but had taken shelter either with their kinsmen in Delhi or some tribal chiefs of mountainous borders of Kashmir. Malik Ahmad was encouraged and assisted in recalling the Sayyids by the queen, who happened to be the daughter of a Sayyid. The Sayyids returned to the Valley to regain and re-consolidate their old lost positions and enormous possessions. But the people got enraged and severely opposed the PM's act of recalling the Sayyids who had oppressed and virtually looted them. They termed the act of the PM as foolish and extremely unpatriotic. A prominent Muslim damar dilated on the evil consequences ensuing from the return of the hated Sayyids. Malik Ahmad had his own calculations and expected the Sayyids when back in Kashmir to act as his surrogates and flatterers.

But the Sayyids proved defter than Malik Ahmad. The moment they recovered their possessions and had them in full hold they pounced on people and their leaders to avenge their disgraceful externment. Tazi Bhatt was their main target and they had plans to imprison him and abduct his wife. But to the good luck of Tazi Bhat he was informed of the designs of Sayyids by his supporters and took shelter with the Prime Minister who happened to be his adopted father. The Muslim ruler sensed it as the formation of a new grand alliance against him and sent forces to arrest Tazi Bhatt. But the people revolted against this act of the ruler, who stopped in his tracks from arresting Tazi Bhatt, thus saving his crown and sceptre.

Though recalled to Kashmir by Malik Ahmad the revengeful Sayyids always took him as their sworn enemy. The Muslim ruler instigated by Sayyids imprisoned him and confiscated his whole lot of enormous wealth. The Sayyids without any visible rival in the field exercised full powers without check or restraint .

Records Srivar, "they became unruly after this triumph, they placed the king under their control and regarded the people of Kashmir hardly even as grass".

The Sayyids reduced the Muslim ruler to a mere puny puppet. They made him to dance to their tunes. He was just there on the throne, not even a figure head. The country was seething with discontent and indignation at the phenomenal rise of the foreigners, who had insatiable lust for power and had risen from rags to riches at the expense of the Kashmiris.

Writes Srivar, "He (King) lost all interest in the administration of the country and remained indifferent to the doings of his servants. His mind was influenced by his wife and the Sayyids..."

There was an open revolt against the Muslim ruler and his Sayyid advisers and henchmen. Winter was chosen as the timing for unleasment of revolt when it would be near impossible for the army to move about freely. The revolt was mercilessly suppressed by the army headed by the Sayyids. Conveys Srivar:-

"The army headed by the Sayyids scattered itself throughout the length and breadth of the Valley and inflicted untold atrocities on the people. The inhabitants were robbed of their domestic animals and rice and wine and other things...."

The Sayyids consolidated their power after the death of the ruler, Hassan Shah. To fill the vaccuum Sayyid Hassan installed seven year old son of his own daughter on the throne of Kashmir. The people were mortified by the absolute power that the Sayyids wielded. They were rejected as non-entities and treated with absolute disdain. Writes Srivar:-

"Haughty in their conduct and cruel in behaviour those arrogant men, urged by excessive cupidity, oppressed the people even like the messengers of death".

The Kashmiris reviled and treated as dust finally geared and girded up their loins to wage a final battle against the tyrannical and treacherous rule of the Sayyids. Saifu-ud-Din Dar, a local noble, led the uprising. A plot was organised to kill all Sayyid leaders who manned the levers of power. The fort at Naushahr was seized and Sayyid Hassan alongwith his relatives was murdered. Despite Sayyid retaliation the people's morale never got downed or dipped. The popular army captured the whole of Valley. The Sayyids with politics in their blood opened up negotiations but the leaders of the uprising rejected all such offers. They sought military aid from Sayyids in the Punjab and Delhi. The indigenous battle against the Sayyids met its waterloo because of many factors, the main factor being treachery.

Intoxicated by the victory the Sayyids indulged in extreme revelries and massive plunder of the local population, both Hindus and Muslims. Innocent and unarmed citizens were murdered in cold blood. Learned men among the Hindus were put to the sword. Writes Srivar:-

"They fixed several heads on poles in order to strike terror into the people they placed them like rows of lamps on a piece of wood on the banks of the vitasta".

But ultimately the battle against the Sayyids fructified into a dazzling success when Jehangir Magrey took the lead of the popular army. The Sayyids were chased in the streets of the city. They were given the appellation of 'Saad makar'--the cunning Sayyids. Their properties were either confiscated or totally destroyed. The converts and their popular army showed them no mercy. Most of them were expelled from the land.

4 In J&K, more loyal than the king

The polls so far were largely free - but there were some cases of coercion

By Prabhu Ghaté

While a large number of Kashmiris voted freely in the first round of polling, despite the threat of militant violence, it is important to recognise that there was also coercion by the security forces. Only if this is confronted is there a chance that it can be stopped in subsequent rounds.

Coercion was more frequent in villages off the main roads that remained unvisited by the election observers and the media. I was a member of one of five teams of civil society representatives that visited about a hundred polling stations in the two districts of Baramulla and Kupwara. As we were driving through Magham, in Handwara constituency, we were stopped by a crowd of agitated villagers from the hamlet of Uchchar, about 2.5 km away up a kacha road. They said personnel of the 24 Rashtriya Rifles accompanied by *ikhwanis* (former militants, or ‘renegades’ had visited early in the morning, beaten some of them up (we were shown fresh wounds) and herded like ‘bhed bakris’ down to the polling station. They said they told the RR that they were not willing to vote in this elections as in previous elections, but had their ID cards impounded until they cast their votes. Apparently a fracas then occurred and there was firing in the air.

We drove up to Uchchar to talk to the few women who remained in the village, when 7 *ikhwanis* in full battle dress regalia with guns and a walkie talkie sets walked out of the woods from the opposite direction. Realising the villagers would no longer be able to talk, we returned to Magham to check with the RR. An RR personnel, who appeared to be an officer (he was wearing no insignia of rank, and would not disclose his identity), refused to discuss the incident and told us to contact his CO in Drugmulla. However, it was too late in the day to backtrack.

As we were leaving the villagers begged us not to report any names since they would have absolutely no redress in the event of a ‘crackdown’. Some of them had voted, but were still awaiting the return of their ID cards.

Members of the other teams saw security force personnel banging at doors, and several villages reported announcements made in the morning at the behest of the forces from mosques, urging people to cast their votes. In places people gathered on the roadside after voting to show their ink marks to the forces. “Otherwise they will come to our houses to check,” they explained.

It is not clear whether the initiative for coercion came from field commanders being more loyal than the king, or whether there was pressure from higher levels. Whatever the case, it is reprehensible that any instances of coercion occurred at all, in the face of clear instructions from the Election Commission.

*The writer was part of the Coalition of Civil Society a team of volunteer observers for the J&K elections.

(Source: Indian Express)

5 Jammu & Kashmir-Autonomy versus Division

By H.N. Dikshit

THE post-independence history of India is a saga of national shame and deep lamentation. In fact, the entire Indian politics is a pile of shameful activities. But, politics connected with Kashmir has at every step disgraced India. It is well-known that Kashmir as a region has been the centre-stage of the Indian culture and philosophy. It was here that aesthetics connected with Sanskrit as a repository of oriental scholarship sprouted and fructified. The divine land of Kashmir has been a witness to the protracted debates centered round the arcane secrets of life between Pipla Rishi and a galaxy of famed scholars lasting for a time-period of one full year. Questions were raised about the Lord as a creator of the Universe and answers were suavely thrashed out. The 'Prashan-upanishad' as a credible vedantic work got evolved as an outcome of this logical debate. Here in the very land of Kashmir Abhinavagupta revived and revitalized the philosophy of Recognition. The legislature of this very region passed a resolution on so-called autonomy on 26th, June, 2000. The resolution demanded the deletion of some vital clauses and articles from the sacred text of the Indian constitution, though they are integral to it. No voices were raised against such absurd, separatist and unconditional demand asking for creating a state within a state. But strange as it seems the moment the RSS passed a resolution with the motive of resolving the problems of this turbulent state the groups of politicians, journalists and media-men got stirred up to thwart it.

Most of the political groups and media persons had not actually gone through the text of the RSS resolution. Those who had read it, were not fully conversant with the ground realities in Jammu and Kashmir. The resolution was dubbed as communal and anti-national without having gone through it, much less having pondered over it with all cool headedness. But what is astonishing silence was observed on the anti-India autonomy resolution and hullabaloo was raised over the RSS resolution though aiming at solving the maze-like problem. It becomes imperative to highlight some crying problems about the J&K State for the benefit of such opponents of the RSS resolution. There are nearly two lac voters who are eligible to vote for the election of the Indian Parliament but have been debarred from voting for the state legislature elections. The Indian Parliament and other state legislatures in the country remain in life for a period of 5 years. But the legislature in J&K State enjoys a six-year term. No woman of this state can marry a man outside the state. In case she chooses to do it, she loses her share in the parental property and is bereft of her citizenship rights in the state. But she is rewarded if she marries a Pakistani citizen. She has the right to invest her husband with the state citizenship rights. The Hindus have continued to be the butts of discrimination which is crass. They have been put on notice to establish their citizenship of the state. And as against it the Pakistani citizens are afforded all the conveniences of a citizen. In the state of J&K there are grave regional imbalances. The 99 Lok Sabha election data cause a puzzlement. In the region of Jammu 24 lac, 63 thousand and 906 electors elect two MPs for the Lok Sabha, but in Kashmir region 24 lac and 10 thousand electors elect three MPs for the same house. The Hindu dominated region has been given the option that 12½ lac voters of it can elect one MP for the lower house, but the Muslim dominated region of Kashmir enjoys the advantage of having one MP for a population of 8 lac only. The Jammu region has the maximum number of electors, but it can send only 37 members to the Legislative Assembly. When Kashmir region has lesser number of electors, it elects 46 members to the same house. Area-wise Ladakh with its highly sensitive parts of Kargil and Siachen is huge and sprawling, but it has been decreed to elect one MP and four members for the Legislative Assembly. This sort of discrimination has pushed the people of Jammu and Ladakh to demand for autonomy or separate statehood.

The three Abdullachs though crying hoarse for autonomy have rejected as useless the local demands for autonomy in Jammu and Ladakh. Sheikh Abdullah and then Farooq Abdullah and now junior Abdullah, the inheritor, have valued as meaningless the loud voices for autonomy and other democratic rights from Ladakh and Jammu. The Abdullah family and their National Conference deem J&K as their fiefdom. The definition of autonomy as given by them is sunk in absolute subjectivity. It is forgotten that J&K is the heart-beat of every Indian. The Abdullachs have managed their politics through the hefty financial

packages from Centre. The entire Bharat has bled for the state's prosperity and affluence. Autonomy never implies constitutional special position for any state. It always means the continuous and positive change of power. The decentralization of power down from Centre to states from states to regions and finally to every legitimate citizen of India is what actually is meant by autonomy.

This type of positive autonomy generates healthy self-dependence among people. The Delhi Agreement of 24th July, 1952 concluded between Nehru and Sheikh Abdullah contained a promise by the latter that Jammu and Ladakh would be granted autonomy. The Sheikh had repeated his promise in a radio-broadcast dated April, 1952. Nehru had told Balraj Puri that the state constitution should guarantee autonomy to the separate regions. In his article dated 1st July, 2002 Puri wrote, "I consider Farooq's demand for autonomy totally meaningless. The type of autonomy he is demanding from Centre should be granted to different regions of the state". In reality, the people of Jammu and Ladakh failed to integrate with the people of Kashmir. The founder of the Bharatiya Jana Sangh was a strong supporter of the integration of Jammu and Ladakh with India. But Sheikh Abdullah thwarted it as it would diminish the purlieux of his fiefdom.

Nehru, Dr Mukerjee and Sheikh Abdullah exchanged letters on the subject of autonomy. The people of Jammu and Ladakh have no love lost for article 370 and aspire to be fully integrated with India. This very demand of Jammu and Ladakh has been raised and concretized as the autonomy demand. Pt. Nehru has been its supporter but failed to get it implemented for some unknown reason of love for Abdullah. The RSS has given expression to the national sentiment through its resolution. The people there through the J&K National Front and Panun Kashmir have been clamoring for separate statehood and autonomy. As per the wishes of the people and Nehru's desire for autonomy and Dr Shayama Prasad Mukherjee's sacrifices, the RSS has appropriately drafted its full-length resolution. The said-resolution purporting separate statehood for Jammu cannot in any way be termed as communal. In the resolution the Muslim dominated areas of Rajouri, Poonch and Doda have been included as parts of Jammu. The RSS resolution is a mere reiteration of the old demand of Jammu for a separate statehood. The strategic importance of Ladakh is well-known. The resolution includes the region to be declared as a union territory for strategic purposes.

To maintain a strict vigil over strategically vital areas of Siachen and Kargil the declaration of Ladakh as a union territory cannot be termed as communal. Ladakh has a dominant Buddhist population. In the third part of the resolution the RSS has proclaimed its support to the nationalist forces of the Valley. The fourth resolution of the RSS is an eye-opener for the whole country. Severely troubled and tormented by the Islamic terrorism the RSS has demanded the rehabilitation of the uprooted Hindus from Kashmir living in squalid camps. The Sangh has suggested to provide them sufficient security to ensure their rehabilitation. The reality about them is that their ill-luck emanates from their fact of being Hindus. Had they been Muslims the entire world would have roared over their luckless plight and especially the Indian secularists would have beaten their breast in the 'Gujarat fashion'. It is this very secular element that has characterised the RSS resolution as communal. It is better to be communal to pursue the programme of the rehabilitation of people, left high and dry and expelled from their homes and hearths. In this very resolution the RSS has expressed grave concern over the security of the displaced people from borders.

It is better to raise the questions trotted out by the secularist brigade with a view to having a thorough peep into them. The secularists ask as to why the RSS is raising the new bogey of division of the J&K State. In answer it is said that the question has old roots since the introduction of Article 370 in the constitution and therefore is not new. In the wake of India's independence on 15th August, 1947 the Pakistani tribals aggressed India. Unlike Kargil intrusion the war in 1947 continued till December, 1948. In this war India lost a hero in Major Somnath Sharma who fell in the battle to protect the Srinagar airport from the foe. He made a record when he was awarded for gallantry for his services to the nation. His brother, Vishwa Nath Sharma, notched up to the position of a general in the Indian army. India did not get Kashmir on a platter. Maharaja Hari Singh possessing a Hindu heart was for India, but desirous of ruling over the Muslim dominated state was for independence. The Pak tribals were hell-bent on the massacre of the Hindus.

It was the Home Minister, S Patel who despatched MS Golwalkar, the then RSS chief, to see the Maharaja in a special plane. He was responsible for urging the Maharaja to accede to India which he did on 26th October, 1947. Aware of Pt. Nehru's love for the Sheikh Maharaja initially hesitated. All this is a part of history. Since then much water has flowed down the Jehlum. Each village in India is simmering with a patriotic wave. Any killing in any cranny of J&K creates a shiver throughout the country. Farooq Abdullah with the gun of Article 370 aspires to ride a lion. This article has cost its importance for the Indians. It is a dead, temporary and decayed provision. Demands for re-division of states do arise. That is how the RSS has proposed to re-shape the state after evaluation of ground realities. Instead of noisy clamour over the issue, it is better to debate and discuss it thread-bare. The RSS-bashers should know that the proposal has nothing in it excepting the implicit nationalist sentiment.

6 Greater Autonomy will weaken J&K's Accession

By Prof. M.K. Teng

Terrorism in Jammu and Kashmir has almost broken up the national consensus on major functional attributes of Parliamentary government in Jammu and Kashmir. There is a deep difference of opinion about the feasibility of a political package on 'greater autonomy' to the State; Hindus and the other minorities, about 46 percent of the population of the State, opposed to any restructurisation of the existing constitutional relations between the Union and the State, and the Muslims uncertain of whether the so-called package of autonomy would be acceptable to militant regimes as a basis for settlement with the Indian Government. Perhaps, the Government of India believes that it can substitute 'greater autonomy' for the 'right of self-determination', that the Muslim secessionist forces, militarized by Pakistan in 1989-90, have been demanding for the last five decades. The former Prime Minister, Narsimha Rao, went so far as to suggest, that the Congress government would concede "Azadi, short of Independence" to meet Muslim separatism, at least half-way, exactly in the same manner as the Congress had offered to concede a Muslim State within India, when it accepted the Cabinet Mission Plan in 1946.

The acceptance of the separate identity of the Muslim majority provinces proposed by the Cabinet Mission Plan led to the partition of India in 1947. The acceptance of the 'autonomy of the state', which, evidently, is presumed to be based on exclusion of Jammu and Kashmir State from the Indian constitutional organisation, may lead to the second partition of India.

The Government of India appears to have overlooked the dangerous portent of forcing a restructurisation of the existing constitutional relations between the State and the Indian Union and exclude the State from the constitutional organisation of India, to push it back into the position of isolation in which it was placed from 1947 to 1954. In the new setting created by fundamentalisation of secessionist movements in the State and their militarization by Pakistan, the exclusion of the State from the Indian constitutional organisation, which the demand for autonomy actually aims to achieve, will be a prelude to the disengagement of the State from India. The recognition of Jammu and Kashmir, as a separate Muslim identity, based upon the Muslim majority character of its population, repudiates the Indian commitment to secularism and integration of the Indian people on the basis of the fundamental right to equality. Perhaps, **it is not fully realised that Muslimisation of Jammu and Kashmir, the only Muslim majority State in India, would eventually disrupt the foundations of the Indian political culture and threaten not only the secular values of the Indian nation but its unity as well.**

Distortion of History

Maharaja Hari Singh, the ruler of Jammu and Kashmir State, signed the same standard form of the Instrument of Accession in October 1947, which the other Indian rulers signed to accede to the then Indian Dominion. The Instrument of Accession was evolved by the States department, headed by Vallabh Bhai Patel, and was based upon the principles the Cabinet Mission had stipulated for the accession of the Indian States to the All India federation. All the rulers of the acceding States retained all the residuary powers of government and the Instrument of Accession they signed underlined the delegation of powers to the Dominion Government in respect of foreign affairs, defence and communications only. Among the other rulers, Hari Singh too retained the residuary powers of the government, and the Instrument of Accession he signed envisaged the delegation of powers to the Dominion Government of India in respect of foreign affairs, defence and communications. The Instrument of Accession did not bind any acceding State, including Jammu and Kashmir, to accept the future Constitution of India.

No separate or special provisions were incorporated in the Instrument of Accession signed by Hari Singh and there was no precondition or agreement, specially accepted by the Government of India to any separate and special constitutional arrangement, to the exclusion of the other acceding States.

That the State department of the Dominion Government or the ruler of the State or the Congress leadership accepted any condition that Jammu and Kashmir would be provided a special constitutional position or any particular brand of autonomy or would be recognised as a separate Muslim identity is a

travesty of history. Neither Nehru, nor Patel gave any assurance to the Conference leaders that the Jammu and Kashmir State would be recognised as a separate constitutional entity because of the Muslim majority in its population.

When the invading armies of Pakistan were fast approaching Srinagar, the Prime Minister of Jammu and Kashmir, Mehar Chand Mahajan, arrived in Delhi, with a request from Hari Singh for help against the invaders. Mahajan was instructed to inform the Government of India that the Maharaja had decided to accede to the Indian Dominion and accepted to transfer whatever authority he would be required to make in favour of the National Conference. Sheikh Mohammad Abdullah was in Delhi and neither he nor Nehru laid any conditions on Mahajan in respect of the future constitution of the State. Mahajan too did not make any commitment on the separate Muslim identity of Jammu and Kashmir or its autonomy. Nehru sought a substantial transfer of authority to the National Conference which was in consonance with the pledges that the Congress had given to the people of all Princely States. The Congress was committed to replace personal rule, which characterised the political organisation of the States, by representative institutions on the basis of administrative responsibility which was accepted for the reorganisation or the governments in the Indian Provinces. Jammu and Kashmir was not recognised as an exception here also.

After accession of the State to India, an Emergency Administration, headed by Sheikh Mohammad Abdullah, was constituted by Hari Singh on 30 October 1947, to deal with the situation of crisis the invasion had created. In June 1948, the Emergency Administration was dissolved and replaced by an Interim Government, formed by the National Conference and headed by Sheikh Mohammad Abdullah.

Unfortunately lies have been multiplied during the last four decades to distort the history of those crucial years and lies are being retold to justify the treachery and blackmail, which characterised the atrocious process of forcing the exclusion of the State from the Indian constitutional organisation in 1950, when the Indian Constitution was adopted.

Instrument Of Accession

The Instrument of Accession, which the rulers of the Princely States executed to join the Indian Dominion, reserved them the right to convene Constituent Assemblies to frame constitutions for their respective governments. The ruler of the Jammu and Kashmir also reserved the right to convene a Constituent Assembly to frame a constitution for his government. The Constituent Assembly of India, was by mutual consensus of the Premiers of the States and the representatives of the Constituent Assembly, entrusted with the task of evolving a model constitution, which the Constituent Assemblies of the States would follow in order to avoid any conflict between the Constitution of India and the constitution of the States. Constituent Assemblies were convened in the Mysore State, the States Union of Saurashtra and the States Union of Travancore-Cochin.

In 1949, an extraordinary decision was taken by the Premiers of the States in a Conference held in Delhi. They decided to entrust to the Constituent Assembly of India the task of framing a uniform set of constitutional provisions for all the States. The constitutional provisions for the States, the Conference decided, would be incorporated in the Constitution of India.

The National Conference leaders did not accept the decision of the Premiers' Conference and insisted upon convocation of a separate Constituent Assembly for Jammu and Kashmir. Consequently, a Conference of the Conference leaders and representatives of the Dominion Government, in which Nehru and Sheikh Mohammad Abdullah participated was convened in Delhi, shortly after the Premiers' Conference. A number of issues pertaining to the territorial jurisdiction of the Union, citizenship, fundamental rights and related safeguards, freedom of faith, emergencies arising out of war, rebellion and constitutional breakdown in the States, jurisdiction of the Courts, division of powers between the Union and the federating States, residuary powers between the Union and the federating States, the residuary powers and the institution of the Constituent Assembly in the State, came up for deliberation in the Conference. The Constituent Assembly of India had evolved provisions in respect of the territories of the Union, citizenship, fundamental rights, principles of State policy, jurisdiction of the courts and emergencies. The Constituent Assembly of India had also evolved a scheme of the division of powers

between the Union and the States, which it proposed would replace the delegation of powers stipulated by the Instrument of Accession the acceding States had signed.

The Conference leaders stunned Nehru and the other Congress leaders when they refused to accept the application of any provisions of the Constitution of India to the State and instead insisted upon the continuation of federal relations between the proposed Union of India and Jammu and Kashmir on the basis of the Instrument of Accession. In other words they demanded the exclusion of the State from the constitutional organisation of India and its reorganisation into a separate political entity which would be aligned with the Union of India in respect of external relations, defence and communications. In fact the National Conference demanded the restoration of control over the state army to the Interim Government, which they claimed, would undertake the defence of the State, after the Indian army was withdrawn. The Conference leaders proposed that

- (i) the rule of the Dogra dynasty be abolished;
- (ii) the state be excluded from the constitutional organisation of India;
- (iii) the relations between the Union and the State be governed by the stipulations of the Instrument of Accession;
- (iv) the control over the State army be transferred to the Interim Government of the State;
- (v) the Interim Government would institute a separate Constituent Assembly to draw up a Constitution for the State.

The Indian leaders agreed to leave a wider orbit of authority to the State government and accepted to vest the residuary powers with it. They agreed to the demand for the abolition of the Dogra rule, and the institution of a separate Constituent Assembly for the State. However, they refused to countenance the exclusion of the State from the Indian Union and its constitutional organization. Nehru, evidently disconcerted with the proposals the Conference leaders made, told them that he could not accept to deprive the people of the State of the Indian citizenship, fundamental rights and the Directive Principles of State Policy which reflected the pride of the Indian people in the ideological commitments of their liberation struggle.

The National Conference harboured completely different views about the constitutional relations between the State and India. They visualized the State as a separate political entity with its own constitutional organisation, independent of the political organisation of India in respect of which the Union of India assumed the responsibility of defence, communications and external relations within the stipulations of the Instrument of Accession. The Conference leaders were motivated by a subtle consideration that since the execution of the Instrument of Accession by Maharaja Hari Singh, which the Conference leaders derisively described as "Paper Accession", was subject to a plebiscite, the Muslims in Jammu and Kashmir, had assumed a veto over the accession of the State to India. To retain the Muslim right to veto on the accession of the state, the Conference leaders evaded any fresh Constitutional postulates and agreements with the Indian Union, which would replace the Instrument of Accession or would alter its consequences.

The atmosphere in which Delhi Conference was convened, was pervaded by a deep feeling of uncertainty. A month before the Delhi Conference was held, Sheikh mohammad Abdullah had thrown a bombshell in the Indian camp when he had told the correspondent of 'Scotsman', that the independence of Jammu and Kashmir would be the most suitable course to end the dispute over Kashmir. In case, Sheikh Mohammad Abdullah maintained, Kashmir was able to establish good neighbourly relations with India and Pakistan, the two countries would settle down to peace and live as good neighbours.

The National Conference leaders made a tactical retreat mainly to bide time and an agreement was finally reached between them and the Congress leaders. The agreement stipulated:

- i) that Jammu and Kashmir would be included in the territories of Indian Union;
- ii) provisions of the Constitution of India in respect of citizenship, fundamental rights and related legal guarantees, Directive Principles of State Policy and the Federal Judiciary would be extended to the State;

- iii) the division of powers between the State and the Union of India would be governed by the stipulation of the Instrument of Accession and not the seventh schedule of the Indian constitution;
- iv) the administrative and the operational control of the State army would remain with the Government of India;
- v) A separate Constituent Assembly of the State would be convened to draw up the Constitution for the State; and
- vi) the Constituency Assembly, after it was convened, would determine the future of Dogra rule.

The agreement was short-lived. Not long after the Conference leaders returned to Srinagar, they made public pronouncements that the Jammu and Kashmir State would not compromise on the issue of autonomy and the Constituent Assembly of the State would evolve a set of separate principles in regard to citizenship, fundamental rights, principles of State Policy and elections. The Conference leaders gave ample expression to their reluctance to accept the inclusion of the State in the Indian Union and the application of any provisions of the Constitution of India to the State.

The issues came to a head when Gopalswamy Ayyangar sent the draft constitutional provisions, he had drawn up for the state, to the Conference leaders for their approval. The draft provisions were based upon the agreement reached in Delhi in May 1949, between the representatives of the Government of India and the Conference leaders. After closed door deliberations, the Conference leaders placed the draft proposals before the Working Committee of the Conference. The Working Committee turned down the proposals promptly.

Sheikh Mohammad Abdullah sent an alternate draft to Ayyangar which envisaged exclusion of the State from the Indian Union and its constitutional organisation. The draft stipulated the abolition of the Dogra rule and the reorganisation of the State into an independent political entity which would be federated with the Indian Union on the basis of the Instrument of accession. **The draft proposed that the separate political identity of the State would be based upon the Muslim majority character of its population, its separate culture and history and the aspirations of its people for economic equality and political freedom which the Constitution of India did not enshrine.**

The Conference leaders were particularly opposed to application of the provisions of the Constitution of India with regard to citizenship and fundamental rights to the State. They disapproved of all forms of safeguards which the provisions of the Constitution of India in respect of fundamental rights embodied, on the pretext that such safeguards would frustrate the resolve of the Interim Government to undertake economic, political and social reforms in the State. The real reasons for the Conference leaders to resist the application of the fundamental rights to the State were, however, different. **The right to equality and the right to protection against discrimination on the basis of religion, the right to freedom of faith and the right to property enshrined by the Constitution of India, conflicted with the Muslimisation of the State, the Interim Government had embarked upon, right from the time it was installed in power.** The Interim Government enforced the communal precedence of the Muslim majority in the government, the economic organisation and the society of the State with religious zeal. The discriminatory legislation, which devastated the non-Muslim minorities in the State, worst hit among them being the Hindus in the Kashmir Province, controverted the safeguards the Constitution of India envisaged against discrimination on the basis of religion.

Ayyangar received a jolt when the communication of the Conference leaders, along with the draft proposals drawn by Sheikh Mohammad Abdullah, was delivered to him. On 14 October 1949, he had a long meeting with Sheikh Mohammad Abdullah and Mirza Afzal Beg in Delhi and tried to persuade them to adhere to the agreement they had accepted in the conference at Delhi, earlier in May. The Conference leaders did not relent and told Ayyangar bluntly that they would not accept the application of the Constitution of India to the State.

Ayyangar failed to face the Conference leaders with firmness. He made a vain bid to placate the Conference leaders by offering to exclude fundamental rights and related legal safeguards, from the provisions of the Constitution of India, which were proposed to be extended to the State in his draft. To

his consternation, the Conference leaders rejected the modified draft as well. They informed Ayyangar that the National Conference would not accept the application of any provision of the Constitution of India, including the provisions with regard to the territories of the Union and citizenship and that it accepted only the Instrument of Accession as the basis of any relationship between the State and the future Union of India. When Nehru and other Indian leaders insisted upon the inclusion of the State, at least, in the basic structure of the Constitution of India, the Conference leaders broke off the negotiations and threatened to withdraw from the Constituent Assembly.

Fearful of a crisis the resignation of Conference leaders from the Constituent Assembly of India would create in Jammu and Kashmir and its repercussions outside India, Ayyangar beseeched them not to take any precipitate action which would adversely affect Indian interests in the Security Council. A breach with the Conference leaders, he believed, would undercut the support India had among the Kashmiri speaking Muslims who Nehru, still believed, would win the plebiscite for India. The Conference leaders, foxy and sly, used the United Nations intervention, ironically enough, invoked by India to secure the withdrawal of the armies of Pakistan from the occupied territories, to foist on the Indian leaders, a settlement which placed the State in a position outside the political organisation of India.

Nehru was abroad in the United States of America. Ayyangar met the Conference leaders and assured them that the Government of India would accept a constitutional position for Jammu and Kashmir outside the Indian constitutional organisation. He further assured them the Government of India respected the aspirations of the Muslims of the State and therefore, would accept the institution of a separate Constituent Assembly of the State which would frame the Constitution of the State and also determine the future of the Dogra dynasty. The provisions of the Instrument of Accession, Ayyangar assured them further, would determine the Constitutional relationship between the State and the Union of India.

Ayyangar drew up a fresh draft in consultation with Mirza Afzal Beg. Abdullah pulled the strings from behind the scene. The revised draft, prepared by Ayyangar and moved in the Constituent Assembly of India, envisaged:

- i) no provisions of the Constitution of India, except Article 1, would be extended to the State;
- ii) the division of powers between the Union and the Jammu and Kashmir State would be limited to the stipulations of the Instrument of Accession;
- iii) a separate Constituent Assembly would be convened in Jammu and Kashmir to frame its Constitution.
- iv) the President of India would be empowered to vest more powers in the Union government in respect of Jammu and Kashmir in concurrence with the State government;
- v) the President would be empowered to modify the operation of the special constitutional provisions for the State on the recommendations of the Constituent Assembly of the State;
- vi) the State government would be construed to mean, the Maharaja acting on the advice of the Council of Ministers appointed under his proclamation dated 5 March 1948".

The draft provisions were incorporated in Article 306-A of the draft Constitution of India. The draft Article 306-A was renumbered Article 370 at the revision stage.

Article 306-A was circulated in the Constituent Assembly on 16 October 1949. It came up for consideration of the Assembly the next day. Several members of the Constituent Assembly detected an error in the draft provisions, which Ayyangar had overlooked. The draft Article defined the State government as the "Council of Ministers appointed under the Maharaja's Proclamation dated 5 March 1948". The members of the Constituent Assembly pointed out to Ayyangar that the definition of the State government envisaged a perpetual Interim government which would lead to the creation of an anomalous situation of excluding all successor governments from the provisions of the Constitution of India. Ayyangar modified the draft to remove the anomaly and redefined the State government as the "person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharaja's proclamation dated the fifth day of March 1948".

The Conference leaders took strong exception to the change in the definition of the State government. Mirza Afzal Beg threatened to move an amendment to the draft provisions of Article 306-A, seeking to alter the definition of the State government.

Beg had actually sought to include provisions in the draft Article 306-A which envisaged a perpetual Interim Government in the State and which could be used as a lever against India in future. He and the other Conference leaders, were disconcerted with the inclusion of the State in the first schedule of the Constitution of India and wanted some pretext to block the passage of the special provisions in the Constituent Assembly.

Ayyangar could not remodify the definition of the State Government, in view of strong reaction against it in the Constituent Assembly. He failed to persuade the Conference leaders to condescend to the modifications he had brought about in the draft. When Article 306-A came up for the consideration of the Constituent Assembly, the Conference leaders sulked away and did not join the deliberations on the draft provision till Ayyangar completed his speech. They sat glum when the draft provisions were put to vote and passed unanimously.

Immediately after the draft provisions were adopted by the Constituent Assembly, they sent a sharp rejoinder to Ayyangar demanding the rescission of Article 306-A as adopted by the Constituent Assembly, failing which they threatened to resign from its membership. Ayyangar was stunned. He sent a plaintive note to the Conference leaders entreating them not to take any action which would prejudice the Indian interests, and wait for Nehru's return. The Conference leaders did not resign from the Constituent Assembly, but as the days went by, they launched a surreptitious and widespread campaign to subvert the special provisions of Article 370.

Article 370

Article 370, in its original form, envisaged exclusion of Jammu and Kashmir State from the secular Constitutional organisation of India, and its reorganisation into a separate political identity based upon the Muslim majority character of its population. It imposed a limitation on the application of the provisions of Constitution of India to the State. The division of powers between the State and the Union was also limited to the stipulations of the Instrument of Accession. Article 370, was therefore, not an enabling act. It was, in fact, an act of limitation imposed on the application of the Constitution of India to the State, after the State was included in the First Schedule of the Constitution. The State was included in the first schedule independent of Article 370.

Constituent Assembly of J&K

The Conference leaders sought to use the Constituent Assembly of the State to undermine in the special provisions of Article 370 as well as the Instrument of Accession. The elections to the Constituency Assembly of the State were held in 1951. Seventy-three of the Conference nominees were returned to the Assembly unopposed. Two of the remaining seats in the 75-member Assembly were also annexed by the National Conference.

In his inaugural address, Sheikh Mohammad Abdullah claimed plenary powers for the Constituent Assembly to determine the final form of the Constitutional relations between the State and the Indian Union, which virtually sought to subject the special provisions envisaged by Article 370 to the verdict of the Assembly. He went further and asserted that the Constituent Assembly, its power drawn from the people of the State, would determine future affiliations of the State in respect of its accession, in accordance with the options the Cabinet Mission Plan had reserved for the States. In categorical terms, he spelt out that the Constituent Assembly would determine whether the State would remain in India, accede to Pakistan or assume independence. The implications of his statement were clear. Article 370 would be rendered redundant after the Constituent Assembly had taken a final decision on the accession of the State and its constitutional relations with India.

The exclusion of the State from the Constitutional Organisation of India and the insistence of the Conference leadership on the right to plenary powers for the Constituent Assembly, caused concern among the Hindus and the other minorities. The Hindus of Jammu reacted sharply against the exclusion

of the State from the Indian Constitutional organisation, which they feared was a ploy to undo the accession of the State to India. They also opposed the abolition of Dogra rule, which they alleged would be used by the interim Government to break the last link between India and the Jammu and Kashmir State.

The Hindus of the Kashmir Province, who bore the rigours of the Muslimisation of the State, also expressed strong disapproval of the Conference demand for a separate political organisation of the State. They had been devastated by the enforcement of Muslim precedence, and virtually reduced to a state of servitude. Their voice was stifled by the Conference gendarmes, who had taken over magistracies in the Valley in the aftermath of the invasion and dispensed justice in the name of Islam. The Conference leaders branded the Hindus as the traitors to the freedom of Jammu and Kashmir and accused them of having supported the Dogra rule in its depredations against the Muslims.

The Hindus made frantic appeals to the Indian Prime Minister and entreated Ayyangar not to accept the exclusion of the State from the Indian political organisation. They pleaded with the Indian leaders that the consequences of the isolation of the State and its reorganisation into a separate political organisation, governed by the commitment of the National Conference to the Muslimisation of the State, would have disastrous consequences in the long run.

History proved them right. Four decades after Article 370 was enacted, the rickety structure of the political instrument envisaged by it, crumbled under the onslaught of the Muslim secessionist forces, militarized by Pakistan. With that were wiped out the Hindus and the other minorities, along with the hollow slogans of secularism with which the successive governments of India had concealed the ugly face of Muslim communalism in the state.

The remonstrations made by the Hindus in Kashmir evoked little response from the Congress leadership. Blinded by the partition of India, which had been brought about by the Indian Muslims, rather than the British, they looked to the Muslims of Kashmir as the sole guarantors of secularism in India. They denounced the Hindus and other minorities for allegedly seeking to communalise the traditionally tolerant community of the Muslims and applauded the National Conference for its demand to secure the exclusion of the State from the secular political organisation of India on the basis of the Muslim majority character of its population.

The National Conference used the Indian state to defend Jammu and Kashmir from the invading armies of Pakistan in 1947. After that was accomplished, they sought to use the United Nations intervention to pull out the State from India. In August 1953, the Interim Government was dismissed and a second Interim Government headed by Bakshi Gulam Mohammad installed in its place.

In 1954, the limitations imposed upon the application of the Constitution of India to the State were partially lifted by a Presidential proclamation, in respect of citizenship, fundamental rights, Government of India, division of powers, federal judiciary and elections to the Parliament. Subsequent proclamation extended more provisions of the Constitution of India to the State. The application of the provisions of the Constitution of India, however, were subject to reservation and exceptions, which mutilated their real content.

Terrorism and Autonomy

In the broad background of terrorist violence which has ravaged the State for the last six years, the demand for greater autonomy and the wild assurances of the successive Indian Governments to support it, has an ominous portent. The restoration of the 1953 status, which is presumed to be the bottomline the autonomy of the State will necessitate restructurisation of the existing Constitutional relations between the State and the Union of India and the withdrawal of the provisions of the Constitution of India, extended to the State, following the Presidential proclamation of 1954. The restoration of the separate political identity of the State on the basis of the Muslim majority character of its population will reinforce, the Muslim claim to a veto on the accession of the State to India.

The insistence on (i) a safer zone to protect the Muslim minority from the dominance of the Hindu majority in India, and (ii) the right of the Muslims of reconstitute the Muslim majority provinces to form

a Muslim State, were the two basic planks on which the Muslim League secured the partition of India. **The creation of an autonomous state of Jammu and Kashmir, placed outside the political organisation of India, will go half-way to substantiate Pakistan's claim on Kashmir. With militant guns booming in the background, India will, sooner or later, be forced to accept a settlement which is acceptable to Pakistan.**

The militarisation of Muslim secessionist forces and their reorientation to Pan-Islamic fundamentalism has added a new dimension to the Muslim separatism in Jammu and Kashmir. **The consolidation of Pan-Islamic fundamentalism as a basis for a global strategy to unify the Muslim nations into an independent power in the world with Pakistan as one of its focal centres, threatens the whole northern frontier of India.**

The demand for autonomy reflects the unconcealed satisfaction with which its proponents are using the ground earned by militants, to pull out the State from the Indian political organisation. With the Hindus in exile, there is no one left in Kashmir to weep for India. On a midnight hour, sometime in future, India might once again awaken to the reality of a second partition.

7 *Beyond Ayes And Nays*

By Daniel Lak

So it's official. The first phase of the Kashmir elections has been a success. Nearly half of the electorate voted. Militants tried and failed to scare people off. There was no coercion as in 1996. The Americans have given their approval. No. Wait. It was a farce, a sham. People were forced to vote. Turnout was much lower. No assembly election will ever solve Kashmir's problems. And so it goes.

Those of us who have wandered the political bylanes of South Asia for some time always feel a shudder of dread when we hear the K word. That's because covering Kashmir is a challenge for any journalist who believes in objectivity. Few places in the world are so riddled with factionalism, so polarised by history and politics, so gripped by tragedy. Yet, reporters are supposed to get "the story"; the sequence of events that explains everything; the context that makes the intelligent lay reader nod his notional head as enlightenment flows from our copy.

This past week's election was a prime example of the Kashmir canon, a day of polling that brought more confusion, more polarisation. For the umpteenth time in the past decade, I bounced along the rutted roads of the Valley, racing from place to place, hoping that the speed and scope of my journey would conjure up insight. In Pattan, the closest place to Srinagar going to the polls, enthusiastic voters crowded a polling station. The security forces manned machine gun nests and imperiously waved on journalists' vehicles. We ignored them and stopped to investigate, the full force of the Election Commission behind us. One CRPF jawan took this personally, and shoved my colleague, a petite lady who barely reaches 5 feet 2 inches in high heels. That day she wore her trainers.

We wondered if he was hiding something. Sure enough, voter after voter told us they'd been coerced, forced out of their home by "soldiers" and made to stand in line at the polling station. Yet they told us this with big smiles on their faces, and the words sounded oddly rehearsed, a pat recital from a preordained script. I had my doubts. Over to Sangrama, just down the road. There, no one was being forced to vote. Indeed, no one was voting. By 11 AM, at the government school just before the turn-off to Sopore, election officials sat at their posts, wearing bullet-proof jackets. On confided that he didn't expect anyone to come out, and by the end of the day, he was more or less right.

Another bouncing, bumpy Ambassador ride to Handwara town. On the way, I pondered what I'd seen. Years of covering Kashmir have taught me to avoid quick generalisations. Sure enough, approaching the outskirts of Handwara, we could hear the voting before we saw it. The mood was ebullient. If there was anger, it was because voting was going too slowly.

Farooq Rasool, a thoughtful 18-year-old, explained why he was voting for the first time, despite militant death threats. "*Doubte ko tinke ka sahara*". He told us, a drowning man can cling to even an inch of moss. Colleagues went to Kupwara, dangerously close to both the LoC and Lolab, where Mushtaq Ahmed Lone campaigned before he was gunned down by militants days earlier. They found more queues of voters, more enthusiasm.

As they filmed people speaking eloquently about democracy and war-wearings, another camera crew in Sopore was in the midst of an anti-election riot. They were lucky to escape with their equipment, and their persons, intact.

At the end of the day, we all trooped dutifully off to hear what had happened, from the various conflicting points of view across the Kashmiri spectrum. "A joke, a hollow exercise", according to Abdul Ghani Bhat of the All Parties Hurriyat Conference, a man that India will certainly be doing business with at some point soon, whatever it says about him now.

"History in the making," said Pramod Jain of the Election Commission, a sincere and dedicated official. Predictably, Pakistan backed the APHC. The Indian government, and most of the media, echoed Jain's assessment. But the faultline in Kashmir is littered with human lives, as well as statistics and semantics. A polarised polity means that no one has yet found the right answers, not that good and evil are jostling for position. Elections? Yes, why not. Democracy is a grand thing. But what happens after the vote is more

important than how many voted. How Kashmir develops is what matters, not what the foreign media think.

Predictable points of view take us nowhere. The courage to compromise just might make a difference. I look forward to the day when Kashmir is peaceful and prosperous, if only because journalism would be easier.

****BBC's Daniel Lak was in Kashmir to cover the election.***

(Source: Outlook)

8 The mood changes as subtly as the season

By David Devadas

The leaves on the giant chinar trees here are just beginning to turn the bright, dramatic colours of autumn but soothing breezes have already eased the heat of summer. Amid an amazingly fervent round of elections, Kashmiri's mood is changing as subtly as the season. Everywhere, people are talking about the polling with a wonder that just goes to show how novel and unexpected free and fair elections are to most Kashmiris.

Far more important for the future of South Asia, the process has caused major shifts in the subterranean templates of Kashmiri politics. Even the All Parties Hurriyat Conference, hitherto the monolithic standard-bearer of Kashmir's secession, is under strain. The People's Conference, which was founded by the assassinated Hurriyat leader Abdul Ghani Lone, is looking for an opportunity to quit. Like many analysts here, they expect those elections to return an unstable mandate and are girding themselves to participate in the next elections, even if these occur as early as next year.

Hurriyat Chairman Abdul Ghani Bhat nodded glumly when I asked him last week whether the People's Conference was not "straining at the leash". He took the plea that "aberrations are an exception, never the rule", and that "we represent the majority", but did not deny that differences exist. The moment I walked into his office the other day, he expostulated: "We have lost faith in the media, diplomats, NGOs all - in short, all those who have reported that the elections have been properly conducted so far. Clearly, the Hurriyat is finding it hard to grapple with rural Kashmir's enthusiastic participation in the process.

Bhat's colleague in the Hurriyat Executive Committee, Maulana Abbas Ansari, explains that "people are very disillusioned with the National Conference", but there is no denying the fact that common people across much of the valley have ignored the Hurriyat's boycott call. Sanaullah Malik, a senior People's Conference worker from Kupwara, sees the same phenomenon Ansari does through a different prism. "If the Hurriyat had not called for a boycott, the National Conference candidates would have lost their deposits".

His party is evidently irked by the Hurriyat's intransigence. Indeed, Lone's sons, who run the party now, were remarkably cool when the Hurriyat was in an uproar after their senior colleagues filed nominations as independents a month ago. They explained it publicly as defiance by the concerned leaders but were not averse to being expelled from the Hurriyat. As it turned out, their bold move had the opposite effect. Launching damage containment, Pakistan promptly appointed the People's Conference nominee, Syed Yusuf Naseem, as the convenor of the Muzaffarabad-based wing of the Hurriyat. The party's leaders here are not impressed. Privately expressing disgust at the Hurriyat, they point out that only they, the Mirwaiz and the Jamaat-e-Islami among its 23 constituents have a popular base. "Let Professor (as the chairman likes to be called) gather 50 supporters", says one of them contemptuously.

Indeed, the big question mark in the minds of many is the likely course of Mirwaiz Umar Farooq. His father too was assassinated by militants exactly 12 years before Lone was. Although his approach has hitherto been cautious, he could be inspired by the determination to rise above the spiral of violence that Lone's sons have displayed since their father was killed on May 21 this year. Over the months before Lone was killed, he and Umar had emerged as what was considered the "moderate" leadership within the Hurriyat. JKLF chief Yasin Malik had been part of their axis since the divide emerged over the last couple of years but had returned to inflexibility after he returned from treatment in the US last winter. Now, People's Conference leaders say they could ally with Umar after splitting from the Hurriyat but are cynical about whether he will show the courage to move out.

The other group that is watching the poll process with great interest is the assortment of pro-freedom leaders outside the Hurriyat, such as Shabir Shah and Azam Inquilabi. They came close to contesting these polls but backed off when New Delhi did not give in to their demands for Governor's rule and a reduction of security forces - and more time to gather their courage. One of these leaders also told me that

he for one backed off after PTV criticized the nascent “third front” for four days running. The fear of being killed for participating process lurks over them all.

However, particularly if the People’s Conference takes the lead, Shah at least is likely to enter the electoral arena by next time. He is among the many who expect the new house elected this time to be unstable. Indeed, if voters that I have interacted with over the past month are to be believed, there is a massive anti-incumbency sentiment in the Valley. It is quite possible that the National Conference will win less than 30 seats. A coalition of the Congress, Mufti’s party and perhaps some independents could take office but, given the volatility of Kashmiri politics, may not last its full term. It is entirely possible that these elections are only the dress rehearsal for a really historic round, perhaps as early as next year.

(Source: The Tribune)

9 *Distrust seems to vie with discontent*

By David Devadas

Conversion in Kashmir over the past few days have tended to swerve willy-nilly towards the Assembly elections. Distrust seems to vie with discontent in most Kashmiri minds as people watch the low-key campaign and hear promise of free and fair elections. Many speak of disillusionment with the incumbent party but their resentful talk is peppered with ennui regarding a free poll. Opinion makers and ordinary people alike ask whether rigging is possible with voting machines. The bottom line among many in Srinagar is that the possibilities that voting opens up are outweighed by the factors that say, "Don't bother to vote." The fear of militants' retribution is only one of these. More striking is the lack of a credible alternative - and of course the possibility of rigging. People say, for instance, that ruling party workers are handling the issue of voters' identity cards.

The important thing, though, is the evident interest, even ferment - and not very far below the surface. Indeed, an amazing degree of enthusiasm is visible along the northern periphery of the Valley - ironically, the portion from and to which militants crossed the Line of Control over these past 15 years. More significant in the electoral context is the fact that a significant chunk of the population in this arc does not speak Kashmiri. Large numbers of them are Paharis, Gujjars and Backerwals.

Most important, this arc includes the home district of Abdul Ghani Lone, who was slain on May 21. Many of the thousands who accompany the independent candidates that have taken on the ruling National Conference in several constituencies here have been sporting T-shirts emblazoned with his portrait. A very senior leader of Lone's party told me last week that the people are determined to give his assassins a fitting reply by coming out to vote. Many of those who were close to him believe he was killed because of fear.

Even though Lone's party is ostensibly not contesting, a senior leader reveals that its supporters have been signaled to vote for various independent candidates, or even candidates of other anti-National Conference parties. The party's new leaders are said to have drawn up a list of 15 candidates whom they would like to see victorious.

There is enthusiasm in Budgam in central Kashmir too, from where the ruling National Conference has fielded the young son of the assassinated Congress leader, Agha Mehdi Hassan. The Agha family commands a feudal religio-political following among the area's Shias and the boy's candidature is therefore sure to bring out a large number of voters. Again anger at an assassination by militants will be a key factor.

The flip side of the encouraging signs of a desire for peace and for movement towards a lasting settlement is that people are far more watchful of how elections are being conducted than they were six years ago. The authorities face some tough decisions. For example, Rohullah, the son of Agha Mehdi in Budgam, is said to be much younger than the 25 years prescribed as the minimum age for an MLA. His opponents charge that the boy is just 20. The certificate he has submitted to the Returning officer shows him to be 26.

The government and the Election Commission would be ill-advised to collude in fraud, in the hope of a substantial turnout. The cost could be a major dent in the general impression about the fairness of the entire process. In the long term, the common people's belief in the fairness of the authorities is an essential requisite for the Valley to return to peace.

(Source: The Tribune)

10 The popular mood in Kashmir

Responsive democracy may end militancy

By Ashwini Bhatnagar

PERHAPS, the most enduring image of the first phase of the poll in Jammu and Kashmir on September 16 would be the large turnout at a small village called Budkote just past Handwara in the Rajwar area. Even as the sound of gunfire resounded from the forested hills at a distance, the voters sat patiently on the ground to wait for their turn to cast the ballot. They were unmoved by the presence of militants all around them and the threat that the first voter would be shot 14 times. They spoke about unemployment and bad roads. They spoke of the misrule of Dr Farooq Abdullah and the long time that was being taken in the casting of voters. They expressed apprehensions on how fair the poll would be and whether it will not turn out to be an exercise in futility in showing the present government the door. But not even one person spoke about the boycott call given by the Hurriyat Conference or of “azadi” from India. The concerns about their day-to-day living overrode the larger political issues and the single emotion that ruled was that of bettering their lot by installing a responsive government.

Budkote was not an isolated example. Through the districts of Kupwara and Baramulla, except for the town of Sopore, the voter turnout surprised even the most optimistic. At the end of the day, the poll percentage touched 48 per cent, an impressive figure given the fact that the first phase covered the four most militancy-hit districts in the state. Contrast this with the 10 per cent turnout that Punjab witnessed 10 years ago and they would put the election scenario in J&K in the right perspective. Like some parties in J&K, the Akalis had boycotted the Punjab election then. However, they were quick to realise their mistake and consequently came to power for full five years, ending early this year.

Punjab apart, a quick analysis of the voting pattern vis-a-vis the militant threat in J&K throws up interesting figures. In nine of the 23 constituencies that went to poll on September 16, there was a strong militant threat to the voter. The polling recorded was about 37 per cent. In 12 constituencies where the threat was moderate, the turnout was 54 per cent, and in the two constituencies that answered the call for poll boycott; the voting percentage was 12 per cent. In other words, the response to a political call was far greater than the threat from the militants. Moreover, wherever there was a credible alternative to the ruling National Conference, the turnout was higher.

As such, the second round of polling in Jammu and Kashmir, which is to be held tomorrow, has to be viewed in the larger perspective of the ground situation in the state as they exist today and in the context of the voting that took place on September 16. An objective appraisal of these could facilitate responses from New Delhi and Srinagar and possibly lead to the next few steps aimed at restoration of peace and harmony in the troubled frontier province.

Despite the killings of political leaders and activists and attacks on security personnel ever since the poll process started late last month, the mood in the Kashmir valley has been one of participation in the electoral process. From the filing of nomination papers to the electioneering, the levels of enthusiasm have been beyond the expectation of many observers. Given the situation in the Valley, they had expected a subdued campaign and a total disenchantment of the voters with the process. However, the ground situation was dramatically different. Both in the first phase and at the close of electioneering for the second phase, public rallies and door-to-door campaigns attracted sizeable crowds. If in some places rallies have not been held or have been at a low key, it was because of the fear that the militants might resort to indiscriminate firing or trigger IED blasts. The militant strike at Surankote when a PDP rally was to be held in the first phase shows that the people’s fears are not entirely unfounded. In Srinagar, it was because of this fear that the campaign started with impromptu group meetings in localities and later built up to even boat rallies in the Dal Lake.

Political activists trampled lurking fear to organise gatherings and put up buntings and flags as it happens in any other part of the country. The desire to cast the vote and see a change in governance was so strong that, according to an Awami National Conference leader, Mr Muzaffar Shah (whose party is not

contesting the elections), “Many workers from different parties have approached me and asked me to tell the security personnel to just lightly knock at their door on the day of the poll so that they can come out and vote and later save themselves from the militants wrath by pleading that they were coerced into it by the army.”

The will of the people to participate in the democratic process perhaps played a significant part in the change of attitude of several parties which were till the other day stridently either pro-azadi or pro-Pakistan. The divergence of viewpoints within the umbrella of the Hurriyat Conference speaks of the paradigm shift that has taken place in the Valley. Though Hurriyat chairman Prof Abdul Ghani Bhat continues to make pro-Pakistan statements, his tone is milder. The Hurriyat’s senior leader Mirwaiz Umar Farooq and others now talk of autonomy. The Lone brothers of the People’s Conference are, in a way, participating in the elections through their dummy candidates. As such, given the international climate and local compulsions, the stage seems set for a fruitful dialogue after the formation of the government in mid-October.

The first phase has also sent out a very clear signal to the other constituencies that will go to the polls in the rest of the three rounds. For the first time in as many as 25 years the voter seems convinced that the poll is not rigged. There were apprehensions before September 16 and genuinely so. At least two generations of Kashmiris have not seen a fair election. The 1996 poll was, perhaps, the worst nightmare of rigging come true. As such, cynicism on the part of the electorate was natural. However, the September 16 polling was the fairest ever seen in any part of India since Independence. This is no exaggeration but only a mild statement of a fact that has been an eye-opener for even the most experienced of poll observers. The polling staff and security personnel were neutral, polite and firm, and painstakingly followed the laid down procedure. The security agencies maintained their distance from the electorate, and coercion was non-existent. Those who spoke of coercion did so to justify to the militants their presence at the polling stations.

Given the mood, it could be expected that the militants might resort to desperate acts of violence during the remaining phases. The strike in Srinagar Police Colony on Saturday and the attack, fourth in a row, on the Tourism Minister, Ms Sakina Ittoo, only underline the fact that though the militants may be on the back foot, they are not down and out. A strict vigil even after the elections will have to be maintained to check the activities of the militants. But a part of the problem may be solved if the Centre moves away from the Abdullah-centric strategy it has employed over the years. Such a strategy has been the biggest tragedy for the Kashmiris. Bad governance is the real issue at the ground level, and if it is not sorted out now the state may miss yet another chance for a return to normalcy. In fact, the real and long-term answer to militancy is democracy that is transparent and responsive.

(Source: The Tribune)

11 Doubts about fair polls

WHILE free election in a climate of fear, that prevails in Jammu and Kashmir, is a far cry even the fairness of the current polls has come under cloud with two of the four phases of polling yet to be held. The allegations of coercion to bring the unwilling voters to the polling booths, tampering with the electoral rolls, bogus polling with the ruling party carrying hordes of non-voters on wheels to several polling booths, booth capturing and the use of administration to help the National Conference have already been made not only by the opposition parties but even by various credible independent observers teams. What makes the electoral exercise doubtful are the allegations made by the leader of the People's Democratic Party, Muzaffar Beig regarding the role of the police and the attempts to replace the Electronic Voting Machines of the first two phases of the polls, now under custody of the security forces. A renowned Supreme Court lawyer known for his balanced views, who is not used to make wild and unsubstantiated charges, Beig has accused the State police chief AK Suri of acting as a card holder of the ruling party alleging that the police in South Kashmir, which is going to polls in the third phase and where PDP is posing a serious threat to the NC, has been directed to forget the Election Commission directives and help the NC. He went to the extent of saying that "I can prove it and if I fail they have every right to sue me". Even more serious was Beig's allegation that the ruling party was hell bent on replacing the EVMs by bribing the central forces guarding them. According to him a leading businessman and friend of Farooq. Abdullah had landed in Srinagar with a truck load of cash and has been moving in the government-owned chopper and the vehicle of the chief minister's personal security officer for this purpose.

The PDP leader has warned that if nothing was done by the EC to prevent such malpractices his party would be forced to walk out of the poll contest. The allegations made by such a responsible political leader are too serious to be ignored. These cast a shadow of cloud over the CEC's claims of the present elections in the state as "fairest ever" held in the country. Serious doubts have been expressed about the possibility of fair election in the State under the Farooq government, which has a dubious past record in rigging and which has already been using the administrative machinery and resources for improving its electoral prospects. The allegations regarding the replacement or misuse of EVMs are further substantiated with the reports that one EVM has been seized from the residence of the Agriculture and Rural Development Minister Chowdhary Ramzan. An employee of the RDD in Lolab Mohammed Yusuf Bhat has been detained for possessing an EVM given to him for depositing with the District Returning Officer and the has been detained. What adds to the suspicion about tampering with the EVMs is the veil of secrecy that is being maintained regarding the official statistics on the polling in the first two phases of the elections. The figures about the actual percentage of polling are changing after every day casting further suspicions about the fairness of the polls. The delay in releasing the segmentwise poll tallies in the first two phases, which should have been done after the conclusion of polling, also cast doubts with many considering it as deliberate to manipulate the figures. The EC will have to dispel doubts about the fairness of elections. At least it should fully inquire into all allegations with open mind instead of outrightly rejecting them as the State's chief electoral officer Pramod Jain has been doing.

(Editorial in Kashmir Times, Jammu)

12 Dr. Triloki Nath Khoshoo - A world-renowned Environmentalist

By Dr. BN Sharga

THE people have started now realizing the fact that the environment plays a key role in maintaining the good health of any nation. The different forms of pollution not only shorten one's life span, but also bring various dreadful diseases. That is why now various governments and other non-governmental and voluntary agencies are striving hard to educate the people, about the importance of maintaining a proper ecological balance in nature which is very important for the survival of the mankind. The scientists all over the world are working hard to derive ways and means for the qualitative improvement in the environment around us by making it free from all sorts of pollution. Even various courts of late have become active in this direction and have issued certain guidelines to be followed strictly in this regard to check the abnormal rise in the level of pollution in the atmosphere so that it may not become a health hazard for the citizens of this country. One such outstanding environment scientist, who did an exhaustive research work in this field and had won various prestigious awards for that, was Dr. Triloki Nath Khoshoo whose excellent contribution in this newly developed discipline will always be remembered for all times to come.

Dr. T.N Khoshoo's ancestors were originally the inhabitants of the Sopore town of the Kashmir valley and therefore used to write Sopory as their surname. One of his ancestors became a Mint officer during the rule of Mughal emperor Shahjahan (1627-1658) when Ali Mardan Khan was the governor of Kashmir. Some Shohdah poisoned the ears of Ali Mardan Khan by telling him that the Mint Officer is minting under weight coins thus making a big fortune. There upon Ali Mardan Khan called the Mint Officer to his court to know the truth and asked the Mint Officer to weigh the coins before his eyes. It was found that the weight of the coins was accurate as required and the allegations levelled against the Mint Officer were totally malafide and baseless. Ali Mardan Khan then honoured him with a royal Khilat for his honesty and sincerity. Since he used to do everything very quickly by his left hand so he was nicknamed as Khoshoo which means a left hander in the Kashmiri language. Subsequently his family adopted Khoshoo as the surname in place of the original surname Sopory after migrating from Sopore to Srinagar and settling down in Ali Kadal mohalla there.

Dr. T.N. Khoshoo's another ancestor Rishipeer the son of Pandit Govind Joo Khoshoo of Ali Kadal became a saint of very high spiritual order during the rule of Mugal emperor Aurangzeb (1658-1707). Reshipeer was born in 1637 in a boat when his mother was going from Ali Kadal to their ancestral town Sopore through the Jhelum river. It is said that once a big fire broke out in Ali Kadal and engulfed the entire area in which a number of houses were burnt down. When it became impossible to control the leaping flames the people in utter panick approached Rishipeer for some solution. Rishipeer then asked them to throw his one sandle into the fire and lo behold it was extinguished. Because of his super natural powers even Aurangzeb who was a bigot Muslim had to give him the epitaph. "Peer Pandit Padshah Hardual Jahan Mushkil Asan." Rishipeer left his mortal frame in 1697 at the age of 60 years. His shrine is still there at his birth place in Sopore on the bank of the Jhelum river. His another shrine was in Ali Kadal where his one sandle was kept. It is now shifted to Jammu .

After the fire incident the ancestors of Dr. T.N. Khoshoo changed their residence and shifted from Ali Kadal to Chalpan Kocha near Zainakadal. The ancestors of Dr. Khoshoo were all highly cultured, learned and deeply religious people and so used to command a great respect from the biradari. They were all very learned people, well versed in Sharda, Sanskrit, Kashmiri, Hindi, Urdu, English Persian and Arabic language. The name of Dr. Khoshoo's great grand father was Pandit Birbal Khoshoo who was a widely respected person in the entire Kashmir valley. Dr Khoshoo's grand father Pandit Sridhar Khoshoo and great grandfather Pandit Kashmira Khoshoo were expert calligraphers and the employee's of the grazing department of the Jammu and Kashmir government. They wrote Ramayan and Mahabharat in Urdu and Persian language in their beautiful hand writing.

Dr. Khoshoo's father Pandit Samsar Chand Khoshoo was an employee in the Customs Department of the Riyasat during the rule of Maharaja Pratap Singh (1885-1925). Pandit Samsar Chand Khoshoo was

married to Vanamala Khosa who was from a trading family of Kashmir. This couple had in all eight children five sons and three daughters.

Pandit Samsar Chand Khoshoo's eldest son Pandit Jialal Khoshoo did his BA from the Punjab University, Lahore and won a gold medal by securing the highest percentage of marks in the examination. He was rewarded by Maharaja Hari Singh (1925-1947) for unearthing illegal deforestation after joining the service in the Forest department of the Riyasat. He retired as the conservator of the forest department of the Jammu and Kashmir government.

Pandit Samsar Chand Khoshoo's second son Pandit Raghu Nath Khoshoo retired as the deputy conservator of forests of the Jammu and Kashmir government. His third son Dr. Prithvi Nath Khoshoo after completing his medical education became the deputy director general of the health department (Leprosy) of the government of India. The civilian title "Padma Shree" was conferred upon him for his outstanding services in the health sector especially for his efforts in controlling the Leprosy in the country by launching various awareness drives in the country against this dreadful disease, besides other national and international honours and awards for his outstanding work in this field.

Pandit Samsar Chand Khoshoo's fourth son Pt. Dina Nath Khoshoo was an officer in the food department of the Jammu and Kashmir state. His fifth and the last son Dr. Triloki Nath Khoshoo was born on 7th April 1927 in his ancestral house in Chalpan Kocha near Zaina Kadal (fourth bridge) in Srinagar district of the Kashmir valley. He had his early schooling in Baramulla, under the guidance of his eldest brother Pt. Jialal Khoshoo who was posted there at that time, in the National School. After completing his early education in Baramulla he came back to Srinagar and took admission first in Sri Pratap Middle School and then in SP College from where he did his matriculation in 1940 in first division. Prior to this in 1938 his parents shifted from Chalpan Kocha to the posh civil lines area of the city. He did his intermediate with Biology, Physics and Chemistry as subjects in 1942 and secured the highest percentage of marks in Biology in the Punjab University, Lahore which conducted this examination and got the Prince of Wales gold medal for this achievement.

He then went from Srinagar to Lahore for higher studies and did his B.Sc. (Hons) in 1944 and M.Sc. (Hons.) in Botany in 1946 from the Punjab University (Lahore) in first division.

In his B.Sc. (Hons.) citation Prof PN Mehra of the Punjab University (Lahore) remarked that Dr Khoshoo was one of the best products of this laboratory during the recent years and could be trusted with investigations of high order. In Dr. Khoshoo's M.Sc. (Hons.) thesis Prof. C.D. Darlington. FRS of the Oxford University London remarked in his report that Dr. Khoshoo's interpretation showed a thorough knowledge of the subject and convincing interpretation.

The government of Jammu and Kashmir then selected him for an advanced training course in forestry at Edinburgh which was the main profession of his family. But due to the partition of India in 1947 purely on communal lines and subsequent merger of the Jammu and Kashmir state with the Indian Union this programme could not materialize as the new government of the state under the leadership of the then Prime Minister Sheikh Mohammad Abdullah cancelled that scheme.

After the partition of the country in 1947 Dr. T.N. Khoshoo joined the Punjab University (Chandigarh) as a lecturer in its Botany Department. After a year in 1948 he was made a senior lecturer in the Botany department of the Punjab University (Chandigarh). He worked on this post till 1962.

In the meantime he did his Ph.D from the same University in 1952 as a faculty member. His examiner of the thesis was Prof. G.L. Stebbins of the Genetics Department of the California University of America wrote that it was an excellent work which was truly exceptional in originality, thoroughness of execution and with minor exceptions entirely accurate.

When Jammu and Kashmir University was established in Srinagar, Kashmir in 1962 Dr T.N. Khoshoo became head of its Post Graduate Botany Department. He functioned on this post till 1964. He then came to Lucknow from Srinagar and joined the National Botanic Gardens as the Assistant Director, which was established by Dr. Kailas Nath Kaul who was the brother in law of the then Prime Minister of India Pt. Jawaharlal Nehru in 1952 in the premises of the historic Sikandar Bagh of the Nawabi period.

In 1974 Dr. T.N. Khoshoo became the Deputy Director of this prestigious Botanic garden of the country and in 1976 he became the full fledged director of this institution. Due to his untiring efforts the status of this institution was raised and it became the National Botanical Research Institute in 1978. He worked on this post till 1982. He used to live in Mahanagar where he built a house for his family members.

Dr. T.N. Khoshoo then became the secretary of the newly created Department of Environment of the Central Government at New Delhi and he then started living there in 103-H, SARITA Vihar with his family members. He worked on this post till 1985. After that he was made a distinguished scientist of the Council of Scientific and Industrial Research (C.S.I.R.), New Delhi.

In 1991, Dr. T.N. Khoshoo became an international fellow of the World Institute of Washington and Jawahar Lal Nehru Fellow; Nehru Memorial Fund New Delhi. He then became a distinguished Fellow (Honorary) of the Tata Energy Research Institute, New Delhi in 1993 and worked very actively on this post till his death in 2002.

Dr. TN Khoshoo started his career in plant genetics and through his pioneering research work in this field became an international authority on plant genetics. His breadth of vision and depth of knowledge coupled with his broad humanism made him a unique figure and a dedicated strategist for human survival. His work both in high office and outside in the field relating to the management of the available resources and the proper utilization of the bio-diversity emphasizing the need to develop the forest cover in the country for a long range ecological security was really path breaking.

Dr. Khoshoo's concern and understanding of the issues focusing on sustainable development in the Indian context on the ethical aspects of resource consumption and on environment friendly technology along with the bio-industrial development of rural India and other developing countries of the world contributed greatly to the integration of environmental considerations into out developmental imperatives which was widely applauded and recognized by every one.

Dr. Khoshoo had also made significant contributions to the genetic evolutionary understanding of several non-agricultural economic plants (including ornamentals). He applied this knowledge for their improvement and had evolved over 30 cultivars of ornamentals many of which are now in the nursery trade thus helping to beautify the environment. He also made original contributions towards elucidating the genetic system of gymnosperms (soft woods in particular). Many of the basic concepts developed by him are known for their originality and have stood the test of the time. His work has considerable practical implications for tree breeding and genetics and is mainly aimed at making forestry in India sustainable for proper ecological balance of the environment.

Dr. Khoshoo has published 253 research papers of a very high academic standard in reputed international scientific journals dealing with genetics as related to plant evolution and breeding, biomass energy, forestry, bio diversity (conservation and utilization) and management of natural resources and environment. He authored 7 books on botanical research and sustainable management of geosphere, and environment besides editing other 11 books of equal importance. His book *Mahatma Gandhi. An apostle of Applied Human Ecology* (1996) won him the Gandhi Medal of UNESCO.

Dr. TN Khoshoo was a fellow of the Indian Science Academy New Delhi, Indian Academy of Science, Bangalore, the Third World Academy of Sciences, Trieste Italy, National Academy of Sciences Allahabad, Institution of Engineers India, Indian Society of Genetics and plant breeding New Delhi and Indian Botanical society, Indian Academy of Agricultural Sciences, New Delhi.

Dr. Khoshoo was the President of the Botany section of the Indian science Congress in 1982 and was General President of the Indian Science Congress in its 1985-86 session. He was the President of the Bio-Energy Society of India in 1985-86, President of the National Academy of Sciences 1985-86, President of the Indian Society of Genetics and Plant Breeding in 1986 and President of the Indian Society of Tree Scientists from 1988 to 1991.

Dr. TN Khoshoo had won various awards and medals in his long meritorious career like Rafi Ahmad Kidwai Medal and Prize of C.S.I.R. in 1977, Birabal Sahni Gold Medal of the Indian Society in 1982, Seth Memorial Medal of the Indian Society of Tree Scientists in 1983, Ram Deo Misra Medal of the

Indian Environmental Society in 1984, Dayavati Vira Medal in 1985, Sanjay Gandhi Award in 1986, Distinguished Service Award in 1998, Om Prakash Bhasin Foundation Award in 1989, The Award of Indian Society of Genetics and Plant Breeding in 1991, Indira Gandhi Environment prize in 1993 and Centurian Prize of Indian Science Congress in 1999.

Dr TN Khoshoo functioned as the National Chairman of the Scientific Committee on Problems of Environment (SCOPE) New Delhi from 1988 to 1991. He was also a member of the National Committee on International Biosphere Geosphere Programme of the Indian National Science Academy New Delhi, during this period. He was a member of the Scientific Advisory Committee of the department of Biotechnology of the Central government from 1989 upto 1996, and Chairman of the Task Force on Biomass production and Bio-diversity of the department of Biotechnology of the central government from 1989 upto 1992.

Dr. Khoshoo had also delivered important lectures from time to time on important topics during his long service period like the National Lecture of the University Grants Commission in 1981, Guru Prasad Chatterjee Award lecture in 1985, Dr AC Joshi memorial lecture in the Punjab University in 1986, Guru Prasad Chatterjee Award lecture of the Indian Science Congress in 1989, Govind Ballabh Pant Award lecture of the GB Pant Institute of Himalayan Environment and Development in 1992, Dr Hussain Zaheer memorial lecture of the Indian Institute of Chemical Technology Hyderabad in 1992, Jawahar Lal Nehru Birth Centenary Award lecture of the National Academy of Sciences in 2000. He was a widely travelled person and in all had delivered over 200 lectures in Indian, British, French, German, Russian, Hungarian, Canadian and American Universities and Institutes and during international conferences all over the world.

He was deputy chairman of the Working Group on Cytogenetics of International Forestry Research Organisation, Washington from 1964 upto 1967; Vice-Chairman of the Governing Council of the United Nations, Environment programme in Nairobi in 1982; member Scientific Advisory Committee of the union cabinet from 1982 to 1985; member Indian Wildlife Board under Mrs Indira Gandhi as Chairperson from 1982 to 1985; Member International Task Force on Tropical Forestry, World Resources Institute, Washington in 1984; member Advisory Board of the World's Resources Report from 1989 upto 1998; member Plant Advisory Group of International Union for conservation of Nature and Natural Resources, Switzerland from 1988 to 1990; member Scientific Committee of the International Lake Environment Committee; Tokyo from 1988 to 1990; member National Environmental Council with Prime Minister Mrs. Indira Gandhi as Chairperson from 1993 to 1995; Trustee, Centre for Research in environment; Ecology and development (CREED) 1995-2002 and Trustee of World Wide Fund Nature, New Delhi from 1996 to 2002.

Dr. Khoshoo was co-editor of "Silvae Genetic" an International journal of forest genetics and tree breeding of Germany from 1960 to 1984, he was on the editorial board of "Plant Systematics and Evolution" Springer Verlag Vichna, New York from 1978 to 1993 member of the Advisory Board of another prestigious journal. "Lakes and Reservoirs" of the Research and Management of the International Lake Environment Committee Foundation, Shiga, Japan from 1994 to 2002 and member of the editorial board of the "Environment, Development and Sustainability", Kluwer Academic Publishers of Netherland from 1998 to 2002.

After 1980, Dr Khoshoo mainly focused his attention on the biomass production on the degraded lands of the country, because of its socio-economic, importance. This work has led to the ecological revival of the derelict lands with a new state of human made biodiversity in natural locations. The knowledge thus gained was ably used in developing various ecological programmes to improve the quality of environment around us. This also formed the basis for standing world's first Eco Task Force involving Indian armed forces for the eco-development of Mussoorie Hills.

During this period he was also involved in paraphrasing sustainable development in the Indian context and spearheaded science and technology based environmentalism. He was the principal architect of some major environmental initiatives which were taken up in the country like Ganga Action Plan, Institute of

Himalayan Environment and Development, centres of Excellence in Environment, Eco-development of degraded lands, conservation and utilization of bio-diversity on a holistic basis in the country, etc.

For all this outstanding work in the field of bio-diversity and its proper management he was honoured with the UNEP Sasakawa Environment Prize in 1996 and the then president of India Dr. Shanker Dayal Sharma conferred upon him the civilian title Padma Bhushan in 1992 Rashtrapati Bhawan for his valuable research in this field.

Dr. T.N. Khoshoo was married in 1946 in Srinagar, Kashmir to Arundati Ganjoo the daughter of Mrs. Prabhawati and Pandit Janaki Nath Ganjoo. Mrs Prabhawati Ganjoo was the only sister of Pandit Balkak Dhar who was a highly respected person of the community in the Valley at that time. Arundati Ganjoo has become famous as Mrs. Mohini Khoshoo after her marriage with Dr. Khoshoo. This couple has two sons Rajiv Khoshoo and Dr. Vikram Khoshoo. Rajiv khoshoo is married to Priti the daughter of Mrs. Kaushaliya and Pandit Janki Nath Chaku. He has a son Siddhartha and a daughter Amrita.

Dr. T.N. Khoshoo was a person of very sharp intellect with pleasing manners. He was quite unassuming person who never tried to throw his position on others. He was always humble and polite in his dealings with his subordinates. His superiors always respected his ideas and suggestions. He had a very charming personality with an electrifying effect. He used to tackle even the most difficult problems with ease and confidence. Apart from a scientist of international repute he was also a very good administrator and above all a very good human being having a great regard for human dignity. He was a highly sophisticated person with a difference. He was the only Pandit from the valley who got the civilian title Padma Bhushan. He breathed his last after a protracted illness at the age of 75 years on 10th June 2002 at his residence 103-H, Sarita Vihar, New Delhi- 110044. He will always be remembered for his fondness, respect, affection and devotion to duty by all those who had the proud privileged to work with him. The reputed Hindi poet Jai Narayan Arun has expressed the philosophy of life in his own words in the following lines:-

***Kalilka ne janam liya, Dhul mein badalne ko,
Suraj ka yauvan hai Sandhya ban dhalne ko'
Sanso ka kya hai phir, Lauten ya na lauten'
Sansen hain mrityu, ki god mein palne ko."***

13 48% Kashmiris defeat 100% US doomsayers

By TJS George

FOR the anti-Indian forces led by the American establishment, what an anti-climax in Kashmir! Their ally on the "American" side of the border did what it could. There were plenty of shellings and quite a few killings. No state in India ever went to polls in so violent an atmosphere. Yet, an astonishing 48% of people cast their votes in the first phase of polling.

This is rather low by Indian standards. But it is quite high by the standards of voter turnout in America's presidential elections. So much for the country that wants to establish democracy in Kashmir, in Iraq, in Iran (no, not in Saudi Arabia, thank you).

The interest the world has taken in this election can only be described as morbid. They wanted to send official observers as though we were a country somewhere in the African outback. The aim must have been to spread the impression that the Kashmir elections were doomed to be unfair and unfree. That we have been conducting elections for half a century in a manner that has set standards for others was something the West did not want to bother with. They finally shut up only when the Chief Election Commissioner - may his tribe increase - declared that the days were gone when White men had to certify our political processes.

"Observers" did go to Kashmir anyway. Enough diplomats to fill two luxury hotels were in and around Srinagar. Some 400 journalists roamed all over the place, scenting blood. They dug up juicy bits of dirt. But they could not condemn the election as rigged. Even the Big Chief in the US Embassy in Delhi had to concede that the election went off well. They certainly did, compared to what happened in Florida where Bush got his clinching votes. Another Bush was the Governor there, but neither CNN nor BBC probed how a great many votes went unregistered in areas dominated by Blacks. No observers went to Florida. It was an though everybody accepted as normal and healthy for American voting machines to go Republican.

For that matter, no CNN and no diplomat and no observer seemed interested in the famous referendums in Pakistan. When their blue-eyed Musharraf acquired for himself power after dictatorial power, all they noticed was what a valuable ally he was in the war against terror. Give the Devil his due; Musharraf has gained a great deal by playing the American game. Whatever Delhi might say, he has succeeded in internationalising Kashmir.

Indeed, Delhi's weakness helped him. These weaknesses began with Nehru whose indulgence of the Mountbattens led to unforgivable follies. They continued after him - with Indira Gandhi playing narrow party politics, with the army being used in ways that alienated the locals, with Farooq Abdullah doing everything he could to set an example in misgovernance. The BJP's inability to work out a coherent policy on Kashmir was further complicated by its Parivar advocating perverse ideas like trifurcating the state. The net result is that we have played right into the hands of Britain's sinister strategists of 1947. They had planned, during the partition parleys and subsequent UN debates, so pin India down so that it would not grow to its full potential. Building up Pakistan against India was the key to this strategy. This election perhaps will give Kashmir a final chance to make a new start. Provided the rest of the election process is not sabotaged. Provided mess-makers like Farooq Abdullah and George Fernandes lie low. Provided Delhi and its Parivar put the nation above their agendas. Provided oh, never mind

(Source Indian Express)

14 J&K elections: a qualitative change in voting pattern

By Balraj Puri

Polling in the first two phases of election in Jammu and Kashmir has been very uneven. The first phase covered Kupwara and Baramulla districts in Kashmir region and Muslim majority districts of Rajouri and Poonch in Jammu region and Kargil in Ladakh region. The polling percentage in these assembly segments ranged from 24.06 per cent in Baramulla to 78.74 per cent in Zanskar segment of Kargil. Within Kashmir region it was highest in Karnah at 70.98 per cent.

In the second phase the range of variation in polling was much larger. It varied from as low as 5 per cent in Srinagar district to 70 per cent in the border constituency in Jammu district. In Kashmir valley it averaged 50 per cent. The overall percentage in the first and second phases is 48 per cent and 42 and respectively.

More significant than the percentage of voters turn out is the fact that none of the major contesting parties has alleged rigging in any constituency or accused the Election Commission and its local machinery of partiality. Not that there were no complaints. But most of them related to constituencies where polling was low and did not materially affect the poll percentage.

The same is true of allegations of coercion by the security forces. Some personnel of the forces might have thought that low percentage of polling was not in the national interest and that it was their "patriotic" duty to use their influence to increase it. But in most cases the effect was exactly opposite to that was intended. Moreover nowhere any body has accused the forces of asking the people to vote for any particular party or candidate. Further one must not dismiss the explanation of Chief Election Commissioner Lyngdoh that "the people use coercion (by the army) as an excuse if they are questioned by militants for voting".

In no case coercion of the army is even a fraction of the violence that has been used by the militants to prevent people from voting. They have killed two candidates and scores of political workers and their relatives. They threatened any body who dared cast a vote.

However, all those who voted are not pro-India. Nor all those who abstained are pro-Azadi. Those who took the courage to participate in the election process have clearly voted for democracy and against the use of violence for achieving whatever objective they had in mind. Even those who are still committed for azadi have realised that the role of gun for its achievement is over. In fact this realisation is widely shared by the people and pro-azadi leaders.

The Pakistan government did not read the current popular thinking on the subject when it condemned the election in advance as farce and after first phase declared it as sham. The militant groups too were out of tune with the reality in Kashmir when they exhorted the Hurriyat to boycott the election. The Hurriyat leaders were forced to retort that they would not accept outside diktates. Eventually they did decide against participation but did not effectively campaign for boycott. In fact most of the time during election campaign, they were outside the state. They and Shabir Shah also remained engaged in talks with official and non-official interlocutors from Delhi on possible terms for participation in election. But these talks remained inconclusive.

If the talks were really intended to involve all separatist groups in the elections, there must have been started much earlier. Or these groups should have plunged into elections without any talks and understanding with the Government of India and without giving up their objective. As the option of gun is closing, due to changes in international situation and compulsion of General Musharraf, and in any case the gun is no longer under the control of the political leaders, their only option was democratic political struggle of which election could be an important part. After all Congress party contested elections in 1937 and formed government in seven provinces without giving up its objective of freedom. The pro-azadi sections of the people have taken a more realistic view of the situation than their leaders. To that extent the separatist leadership stands isolated from the people.

Others who opted for participation in election are those who are convinced that its day-to-day problems - administrative injustices and excesses, unemployment, corruption, nepotism and unaccountable governance - are no less, if not more, important than azadi. They would not like to wait - God knows for how long - for the final solution of the Kashmir problem, that, too, through violent means, for the solution of these current problems. Nor are they sure if they will be able to rid of these problems when and if they get azadi. The attack on election is thus perceived by them as an attack on their right to choose their representatives to deal with the immediate problems or to raise their voice against the manner in which they are being dealt with.

Another section of the people is convinced that call for boycott to vote in fact implies a vote for perpetuation of the present regime. Those who are fed up with the way they have been governed and want to change their rulers or at least some checks on their absolute powers are prepared to take any risk for casting their votes. They are equally disillusioned with the "boycott" leadership who according to them indirectly ensures the continuation of the present rulers to be in power.

Finally there is indeed a hard core of committed Indians in Kashmir who are genuinely convinced that the best interests of the state lies in continuation of its relations with India. Thus election has brought together those who want azadi through democratic means, those who are more concerned with day-to-day problems and those who are against perpetuation of the present regime and the genuine Indian patriots in Kashmir. They have got an opportunity to interact or confront one another but in a democratic framework. They will also share the assembly forum with the emerging forces from Jammu and Ladakh who include voices of protest. The ruling National Conference, for instance, faces complete rout in Ladakh and is expected to be cut to size in Jammu also. This internal dialogue is a pre-requisite for the success of any bilateral - between separatist leaders and the Government of India - or trilateral - which includes Pakistan - that is often proposed for the final and lasting solution of Kashmir problem.

However, this process of dialogue should not exclude those who have not participated in the election. They certainly include those who do not believe in democratic methods to achieve azadi. But let them not delude themselves by believing that all those who did not vote belong to the azadi camp. For there is no election in which polling is cent percent; except in totalitarian societies. For a variety of reasons people are unable or unwilling to vote. There are also a large number of people who believed that security of life was more important than exercising their right to vote. The fate of those who had defied the directive of the militants was enough to deter most of the people with normal courage.

Some boycotted because they believed, on experience, that elections could not be fair under the National Conference regime. Then there are people who regard poll boycott as a legitimate means of protest. A number of Kashmiri Pandit organisations boycotted the polling to register their protest against the way they had been treated ever since they had to migrate from Kashmir in 1990. In many parts of the state, people are reported to have said "why should we vote? Our lot has not improved since independence". None of them wanted azadi.

Thus both the camps - participants and non-participants in the election - include a mixed bag. Of course a significant increase in the number of former marks a qualitative change in the situation.

****The writer is a veteran political analyst based in Jammu.***

15 How Kashmiris Voted - Voter Turnout (in percent)

Segment		2002	1996	1987	1983	1977
A.	Kupwara					
	Karnah	70.98	66.07	77.01	74.68	67.94
	Kupwara		54.84	25.97	69.43	64.57
	Handwara		50.64	34.82	82.19	76.85
	Lolab	-----	-----	-----	-----	-----
	Langate	53.63	42.67	80.15	76.72	74.63
B.	Baramulla					
	Uri	66.56	70.74	83.42	78.08	68.17
	Rafiabad		52.39	44.03	77.31	77.00
	Sopore	7.83	38.36	84.74	83.57	85.89
	Gurez	76.7	76.14	-----	-----	-----
	Bandipore		31.22	50.58	76.66	78.95
	Sonawari		55.85	60.94	76.98	78.47
	Sangrama		24.75	60.26	74.5	78.16
	Baramulla		24.06	37.63	77.35	74.13
	Gulmarg		50.18	65.56	78.95	72.53
	Pattan	55.92	71.38	82.03	78.52	87.36
Segment		Electorate		Polling percentage		
C.	Srinagar	1996	2002	1996	2002	
	Kangan	38836	50452	63.47	51.92	
	Ganderbal	49556	68402	50.79	35.24	
	Hazratbal	69222	85827	23.78	7.12	
	Zadibal	22962	67852	27.86	4.65	
	Idgah	55837	70372	20.14	4.70	
	Khanyar	59696	72459	12.79	4.22	
	Habbakadal	59326	66782	17.17	1.84	
	Amirakadal	59461	74442	12.65	3.07	
	Sonawar	51675	63272	34.71	9.96	
	Batamaloo	74442	1,04,213	19.72	4.02	
D.	Badgam					
	Chadoora	42807	52313	62.74	52.45	
	Badgam	58029	67446	67.45	33.65	
	Beerwah	62975	72974	71.13	35.05	
	Khansahib	51671	60641	63.61	49.52	
	Chrar-e-Sharief	52968	62040	64.39	63.33	
E.	Pulwama	1996	2002	1996	2002	
	Tral	53830	58655	58.54	10.22	
	Pampore	44742	42928	61.19	15.69	
	Pulwama	49162	48839	51.43	16.61	

	Rajpora	52993	58903	51.81	36.70
	Wachi	45260	44981	51.21	21.00
	Shopian	46715	48845	48.34	21.77
F.	<u>Anantnag</u>				
	Noorabad	41327	48053	58.92	28.10
	Kulgam	55296	61077	61.35	19.66
	Homshalibug	42685	46231	46.74	15.80
	Anantnag	55861	68783	36.43	3.37
	Devsar	51332	54971	52.42	25.63
	Doru	46244	48495	49.95	18.54
	Kokernag	56661	61777	42.12	14.04
	Shangus	47310	51443	52.83	24.74
	Bijbehara	64626	61619	36.77	15.37
	Pahalgam	46698	58201	49.79	38.22

16 K.L. Choudhary's 'Of Gods, men and militants'

By Dwarkanath Munshi

SO much has been said, written, discussed and debated about Kashmir over the last decade and more that one might mistake this volume as one more of the same. But it takes just a casual first glance over the anthology of poems to realise that nothing could be farther from the truth. And as one proceeds one gets hooked to the narration which is straight, sincere and intense, raising poignant images before your eyes.

Picture that night, dark and still, and cold as never before. That silence was eerie, piercing like in a graveyard in the wilderness. The air was filled with foreboding. The instinct was ill at ease fearing the unseen and the unknown like ghosts around breathing and whispering and whistling. Then all of a sudden, doom descended. Some eighty thousand loud speakers came alive at a single blaring across the valley the first message of doom in stern and steady tone. "Leave your home O' Kafir leave your young women behind and run for your life".

That night changed the world.

Kashmir can never get over that night -like a house burnt, a garden uprooted, a virgin defiled, a limb sundered, a friend betrayed. It can never be the same again.

Time moves, mollifies, but the pain remains, and in a sensitive mind it grows. Dr. Chowdhary's poems are the outpourings of that pain, that indelible impress which assails the author, from time to time, from place to place, and flows out through his pen. This has gone on for a whole ten years till he feels overwhelmed by nostalgia and is alternately hopeful and prayerful for return to his sacred loved soil of beauty and peace, brotherhood and cultural synthesis as it was and is no more.

This is the essence of the Anthology, presented in three sections, each within its chronology. Thus you open with the Gathering Storm, move to the most heart rending and tragic phase of Exodus and Exile and conclude with the deep longing, in the third section, for return from rootlessness to Mother Kasheer.

Within this compass are the poems that spread before the reader the beauty and enchantment of Kashmir and alongside powerfully moving dirges on the tempests which have shaken our age, the desolation and destruction wrought by the mindless 'jihadis' and 'fidayeen' the terrorists who ironically are deluded to believe they are working for bringing the 'Kingdom of Heaven' down on earth.

The beauty and the pathos seize the reader from the very first poem. I quote:

"The mists dance around you lord Siva four seasons through..... ensconced on top of the Shankaracharya hill".

A few stanzas later "The mists gently glide and slide as they deftly seek to hide the ravages littering, Phelgam, excreta" and elsewhere again

"O where is the lingering mist that your feet did kiss where the cool breeze that fanned your brow".

Such quiet cries of anguish are eloquent in effect and even assume a shrillness by the nature of the trauma. Of bestiality at the Wandahama massacre of the whole Pandit population, the poet grieves with tearful irony: the occasion was the fanatics 'holy Shaba Qadar, of night long prayers for peace and piety. They marked it with butchering the entire 23 Pandit population-babies, men, women. Asks the poet with a bleeding heart- what drove the fanatics "to pump eighteen bullets into the tender constitution of a tiny kidwhen a single would have done"?

If it is pain and tears here, he gives vent to his deep anger in cutting satire in another place, when he describes the madness and misery of misanthropy and munificence in the inverse between the migrant and the militant in the following verses:

Here a migrant stands in a queue
in this blazing afternoon sun
for his monthly allocation-
three hundred and seventy five rupees

& kilo sugar.....

A few lines later:

And yonder in that prison
is detained a terrorist called militant
who receives four fifty a month,
milk mutton.....

overseen and monitored
by human rights groups.....

Asks his victim the migrant
why don't I turn a Militant

If only for a better deal.

One can go on and on and find that the Anthology is not only scholastic but in the main it is a chronicle of human tragedy both on the part of the perpetrators and the victims. The human angle dominates at every point. It goes to the credit of the author who is an eminent physician and no poet by profession or training that he has written it all under an urge kindled within him, by the suddenly rapid and unforeseen transitions of human behaviour. It thus bears the stamp of spontaneity and freshness.

All through the Anthology he has sought and succeeded in avoiding the imitation of any style or language or versification. Whatever the quality of it, that is properly his own and is engaging. He has also not permitted the words to divert or diminish the attention of the reader from the original purpose or interest he has succeeded in creating. He has simply clothed his thoughts in what he thought was most appropriate language.

Having said that much about "Of Gods, Men and Militants" one feels like going beyond its limits with the hope that the excesses and insanity depicted in it are gradually yielding place to better sense and sanity.

The extreme madness which manifested itself on September 11 (2001) from the scene of the anthology, and on October 1 and December 13 last year, awoke the world at large to the barbarity of the demented soldiers of faith deluded by fundamentalists of fraud.

There appears a reflux of the tide. A ray of light is gaining ground and a feeling and belief is growing that whole generations of mankind ought not to be consigned to a hopeless inheritance of ignorance and misery and that a secure haven might emerge when the storms are exhausted and past. A volume of verses dedicated to that hope and happening would be a memorable reward to Dr. Chowdhary.

17 The post-election rhetoric and reality in J&K

By Sumer Kaul

TOP leaders of the BJP seem to be rejoicing over the J&K elections. Indeed, their broad smiles and euphuistic statements present a never-seen-before spectacle of a party celebrating not only the defeat of an ally but its own debacle. Those committed to echoing the Establishment line may say that the celebration underlines the BJP's democratic highmindedness. A more credible interpretation would be that the self-congratulation is really aimed at impressing western powers in the Vajpayee government's continuing quest for good-boy certificates from them.

Victory of ballot over bullet, triumph of democracy, a vote for peace, a slap on the face of terrorists - these have been the predictable cliches with which BJP leaders have laced their reactions to the elections in this long-beleaguered state. Whatever their calculations in putting up a brave front, they have in fact reasons to be worried about the denouncement. That the party drew a blank in the Valley is not surprising, nor did anyone quite expect them to score in Ladakh. What surprised observers, and must come as a goodly shock to the party, is the drubbing it got in Jammu.

The dramatic crash in the fortunes of its ally in the NDA, the National Conference, from 57 seats in 1996 to 28, may not have been all that unwelcome to the BJP if the NC's loss had been their gain; after all, their poll strategists had aligned with the anti-NC Jammu State Morcha and otherwise gone hammer and tongs at the Abdullah dispensation in the belief that the region's dissatisfied and largely Hindu population would shift their loyalty to the BJP. The Jammu voters did disown the NC but favoured, not the BJP but its principle *bete noire*, the Congress. While the BJP's tally in the state is all of one, the Congress has pole-vaulted to twenty.

Pointer No:1 People in J&K prefer Congress to the BJP; Pointer No:2, Hindu voters will not necessarily vote for the BJP - not even in what the party considers its strongholds, in this case supported by evidence of almost all previous elections. Much as party apologists may try to explain that the anti-vote was because of the NC company it kept at the Centre (which in reverse is exactly how the NC, with greater credibility, explains its own poor showing) the two obvious pointers mentioned have cannot but tend to undermine the BJP's confidence in the upcoming election in Gujarat. But even if the circumstances and what the party perceives as a "Hindu awakening" in that state work in BJP's favour, there is no such pressure-cooker sentiment in the ten other states slated to go to polls next year. And if things go wrong for the party in so many states, what will be its fate in the Lok Sabha elections in 2004?

Premature perhaps but these thoughts must worry the party faithfuls. Be that as it may, there are other questions the J&K elections have thrown up that transcend the fate of the BJP, questions that concern national integrity and security and must, therefore, concern the government of India. At the base of these questions is the exit of the fundamentally pro-accession National Conference, and the spectacular emergence of the new outfit called People's Democratic Party led by the former Congress stalwart in the state, Mufti Mohammad Sayeed who later became Home Minister in the anti-Congress VP Singh government which included the BJP. In his present political incarnation, Mufti Sayeed is not only ideologically anti-BJP but, in terms of his party's poll platform, additionally hovering somewhere in between the pro-India and the Hurriyat mindsets in the state.

Given the post-election abacus, it was immediately assumed that the PDP and Congress would join hands, lure the requisite number of independent and fringe groups like the Panthers Party, and form the government. At the time of writing, however, this likely permutation and combination has run into hurdles, chiefly but not entirely on the question of chief ministership. There are indications that even the National Conference, which had proclaimed after the poll results that it would sit in the opposition, is back in the fray.

How the situation will untangle, if at all, should be clear in a day or two, but whichever way the dice finally falls, it will be a dicey situation. Even if a coalition is cobbled before the Constitutional deadline by giving, as per the current coalition dharma (!), ministerial berths to all the cohabitating MLAs, the

underlying politics of opportunism is sooner or later likely to set in motion the nationally familiar perambulations (of Aaya Rams and Gaya Mohammads) in this state as well. As things stand, however, chances are that the state will come under Governor's rule. What an inexcusable irony that will be after the enthusiastic polls.

Long before the first vote was cast in this high-visibility election I wrote: "Far from settling anything for the better in the state, the election and its outcome are likely to make the already muddy waters of the Jhelum and the Ravi muddier still and, given the devilish neighbour we have, bloodier too." Sadly, I have been proved right on both counts. In terms of stable politics, to borrow from the American singer Harry Belafonte, the situation is "as clear as mud". As for blood and terror, 800 Indians, nearly 200 of them security personnel, have been killed in the state in the last two months. When our leaders glibly talk about victory of ballot over bullet, instead of parroting the rhetoric, we should ask them to say it before these 800 families!

Rubbing salt over the wounds is the way the West has reacted to the admittedly free and fair elections. Far from giving the subaltern-minded Vajpayee dispensation the much-coveted good boy certificate, far from seeing the elections as a reflection of the Kashmiris' No to Pakistan, the West generally and the duplicitous Americans in particular have lost no time in urging us to hold talks with the wily dictatorial regime in Islamabad, never mind if it continues to send its murderous mercenaries across the border. Indeed, going by intercepts of radio communications between the terrorists attacks in the state.

In short, bloody business as usual. And tragically for the people of Kashmir, and for India, this state of affairs will go on as long as we have political, diplomatic and strategic pygmies at the national helm

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18 How Kashmiris Voted

On To The Next Election

Special Correspondent

JAMMU, Oct 15: Just concluded elections will be long remembered by Kashmiris. These elections, whose credibility has been universally accepted, have restored the faith of Kashmiris in the Indian democracy. Kashmiris have not given decisive mandate to any political formation. NC (18), PDP (16) and National Parties Congress-5, CPM-2, Awami League-1 have won 42 seats together. Out of four independents three were NC, dissidents and one a proxy candidate of People's Conference, a separatist outfit. NC bagged 31% of the popular vote and combined with dissidents its seat tally goes to 21, a little less than half of the total seats. This indicates that **despite a large anti-incumbency wave, NC has been humbled but not totally marginalised.**

Results also show that PDP has been able to get only 18% of the popular vote and is far away from replacing NC as the regional party. Its main successes have been in erstwhile Anantnag district, where it won ten out of the sixteen seats. Infact Anantnag-Pulwama district has been the Waterloo for NC. Anti-Incumbency factor was so pervasive here that Congress and CPM also got two seats each. The only seats NC won here were those of Traal and Anantnag, where there was near total boycott. In constituencies of Homshalibug, Dooru, Kokernag and Shangus, NC's percentage of votes polled stood miserably at 15.19, 14.27, 10.48, 18.57 respectively.

Elections have also reflected that Kashmiris can look beyond NC or Abdullahs if there was an alternative. Congress polled eleven percent of the vote, winning five seats. This is significant because Congress was vocal against terrorists. Congress (11%) and NC (31%) together polled 42% vote. Barring an occasional reference, NC did not make autonomy a campaign issue. Thus both myths that **Kashmiris vote for secessionist issues or regional parties do not have much validity. Secessionist issues give electoral dividends only where there are other potent issues which appeal to the people. Similarly regional parties cannot thrive just on parochial sentiment.**

Low Polling

Kashmiris as never before were eager to take part in polls. To thwart this, ISI launched a campaign of violence to intimidate voters and political workers. Infact this has been one of the bloodiest elections witnessed. Nearly 800 people died, which include 260 civilians, 150 securitymen and 370 militants. One minister was killed, while another escaped by sheer luck. 45 political workers were killed, whereas in 1996 only 13 workers were killed. Despite this, people defied death threats to participate in the poll process. Infact, there was rural-urban divide. Boycott remained confined to few towns (10 constituencies). 22 constituencies, where terrorist threat was minimal polled over 30% while five constituencies where terrorist threat was significant polled between 20-25%. In 15 constituencies large scale terrorist violence created significant fear among the people.

Terrorist violence was responsible for very low turnout in Anantnag and Pulwama districts. There were over dozen terrorist attacks which claimed the lives of 21 soldiers and civilians and resulted in injuries to 26 people. There was late-night firing directed at polling elections and grenade explosions outside these in Traal. Several local government employees were suspended from service after they refused to serve in terror-hit area. NC candidate did not even campaign in the area, while Cong-I candidate Surinder Singh also chose not to cast his vote, citing security concerns. Pahalgam and Rajpura, which were relatively violence free witnessed polling above 35%.

In Srinagar district terrorist threat, NC's campaign to ensure boycott, weak candidates against NC and fears of rigging created lack of interest among people to vote. 48 hours before the polling, there was late night suicide attack on Bemina Police Housing Colony, on the night preceding the poll there was a terrorist attack in city's posh area-Gogji area, which was televised live. Congress, PDP, BJP all joined to accuse NC of using this to create fear among people and went to the extent of alleging that the incident was stage-managed.

Constituencies which witnessed higher poll percentage this time are the five constituencies of Kupwara, besides Rafiabad. Participation of People's Conference proxy candidates made these elections competitive. Also there was no serious attempts by terrorists to disrupt polling here. Other constituencies which witnessed over 50% polling include Charar-e-Sharief, Khansahib, Gulmarg, Pattan, Chadoora and Sonawari. In Charar-e-Sharief, Pattan and Sonawari the reason was strong contest between NC and opposition candidates. In other three constituencies, high popularity of the opposition candidate combined with strong feeling against NC induced high voting.

There was no state coercion to force people to polling booths. Separatist elements and their friendly Journalists tried to rake it up as an issue. All this back-fired. Bulk of the complaints of "coercion" came from areas which witnessed negligible polling. Even more odd, voters sometimes complained of coercion in front of the very soldiers supposedly terrorising them. Commenting on these contradictions, Praveen Swami, a leading commentator commented, "Some advocates of the coercion thesis seemed to be oblivious to the logical absurdities their claims led to".

Separatists' Role

Terrorist attacks were also focussed on candidates, who had initiated development activities in their areas. In Kulgam two CPM workers were abducted and tortured to death. In Devsar a Sarpanch of Kocheypora was shot dead in his courtyard. **The aim being to counter efforts which had the potentiality to erode terrorists control over civil society.**

Separatists strategy in this election seemed to have been two fold. One to send a message that elections are no substitute for solution to Kashmir problem-Secondly, to keep lines of dialogue open with the political establishment. In Mufti's hometown poll percentage was just 15.37. It was a subtle message to Mufti. In other constituencies local Hizbul Mujahideen actively helped PDP. In Homshalibug, the chief organiser of PDP candidate was Mansoor Malik, father of Touseef Malik, local Hizb "commander". By supporting PDP candidate, the message was implicit that those who do not support PDP will have to face consequences. NC workers got fake Hizb posters calling for boycott pasted in localities where tide was against NC. PDP workers at many places had to tell people about fake and genuine posters. In NC strongholds Hizb enforced boycott through these posters. Also, PDP was able to campaign in interior areas without dense security cover. This is not to say that separatist did not have line of communication open with ruling NC. Slain Minister Mushtaq, Lone was believed to have the support of local Hizb commander Asad Malik. In the past when he was home minister he had taken soft line against terrorists, even ordering the release of jailed Hizb chief master Ahsan Dar. Dar, was subsequently arrested from the home of Lone's brother and one-time terrorist Mohiuddin Lone. Dar finally escaped to Pakistan and founded new terrorist group, the Ansar-ul-Islam. With the disarray in separatists command structures globally local groups seem to have decided to vote against NC. Paradoxically the security forces had been persistently complaining that NC was creating obstacles in battling insurgency.

Also, terrorist attacks were focussed on non-PDP group out of 45 political workers killed, only four were from PDP. Apart from this there were attacks on senior NC leaders like Ms Sakina Itoo, Mr Bashir Nengro, Syed Abdul Rashid, Abdul Majid Mir, Abdul Wahid Shan. In Devsar NCP's candidate Khalida Mushtaq was attacked.

In this election many ex-militants participated. In North Kashmir out of 105 candidates fifteen were either one time terrorists or Members of a breakaway Jamaat Islami group, Kashmir Retrieval movement. Senior counter-insurgent leaders Liaqat Ali, Kuka Parray and Usman Majid fought under the banner of Awami League. Javed Shah fought as a NC candidate. Ex-militants Gani Naseem, Bilal Lodhi and Imran Rahi fought under the banner of NC, PDP and independent respectively. Barring Usman Majid all of them lost. In contrast Congress and CPM did so well. Congress performance in Rafiabad, Bandipora, Karnah and Langate was very good. It could well have bagged these seats.

Allied Issues

Campaign issues were also different for different groups. Congress highlighted misgovernance and regional discrimination under NC rule. It took a strong line against militancy and even accused NC of

fomenting it. Congress tried to engage displaced Pandits also, supporting demands which were nearer to homeland. NC, barring an occasional reference to autonomy, did not have much to highlight. It tried to sell Omar to rectify mistakes of the past. PDP campaigned against dynasty politics, misgovernance and "excesses" of security forces. It demanded release of militants and dialogue with them, besides disbanding SOG. PDP described Kashmir as a "dispute that needs to be resolved". PDP appealed to secessionist sentiment. Its election symbol was same as that of MUF in 1987 and has a green flag. In Kashmir there has always been a thin line between civic protest and secessionist rhetoric. It becomes difficult for observers to say whether Kashmiris voted against mis-governance or security forces' "excesses".

The role of state administration was not all that fair. Opposition parties pre-empted it by issuing timely warnings. This strengthens the argument that in J&K elections can be fair and free only under Governor's rule. Most of the opposition candidates did not have enough security cover.

Why NC Lost

NC lost for a number of reasons. There was a strong anti-incumbancy wave against it on the issue of misgovernance and clannish corruption. Jobs, postings, promotions etc. everything was on sale. People, even NC's traditional supporters said NC was main obstacle to return of peace. Special Operations Group (SOG), meant to involve local element against militancy has played a very good role before and after NC government was formed. After formation of NC, its role became controversial as NC leaders politicized it and used it for partisan purposes. The extortions and excesses were condoned. This created strong resentment against NC. SOG became synonymous with NC's misrule.

When Centre opened dialogue with Hurriyat, nervous Dr Abdullah took an ultra nationalist line to block dialogue. There was another reason also, Dr Abdullah calculated, that in post September 11 context separate command structures would be in disarray and new line would be politically useful. He revised soft line against Jamaat-Islami and separatists and reverted to status quoist position. He fully backed centres efforts, when cases were launched against Geelani and Yasin Malik. All this weaned separatists away from NC and they decided to work against NC. Opposition also launched a vicious campaign against NC that Home Minister Advani was openly helping NC. Holding of elections early, not imposing Governor's rule and highlighting security threats to Abdullahs by Advani were often cited in this context.

Intra Party Feud

Lastly, interparty feud damaged NC and its prospects. A caucus of its senior leadership ran a subtle campaign against Omar that he was a liberal intrusion in NC's ideological moorings. This campaign was not dissimilar to MUF's campaign against Dr Farooq Abdullah in 1987. Mandate selection was so contrived that there was enough scope for NC to lose many potential seats. This would, they calculated, make Omar perpetually dependent on this caucus. These leaders miscalculated and their machinations led to NC's rout. NC had put up 30 new faces out of which only 15 won. In this election as many as six NC dissidents won. How NC tackles this interparty feud to refurbish its image is difficult to guess.

The Prospect

Elections, no doubt, have served as a good public relations exercise for the Centre internationally, but the verdict itself has become a cause of concern among patriotic people. General assessment is that the new coalition will remain **semi-unreliable** and **semi-unstable**. Brahma Chellaney, country's foremost security expert warns, "**The country has been so caught up with the elections that it has forgotten the end result. We needed a stable government that would have acted as a bulwark against terrorist violence. But the ghosts of the past have come to haunt us, with people like Mufti Mohd Sayeed, who contributed to the resurrection of terrorism, coming to power**". Mr ID Swami's (Minister of State for Home) statement that Centre was willing to disband SoG and agree to other PDP demands if PDP joined coalition is alarming. NDA government has already muddied the waters by saying frequently that it was willing to grant autonomy to J&K.

Even if Congress and PDP are able to craft a new government, the future remains unpredictable. If PDP continues to build the pitch for emotive issues, it will put itself in direct confrontation with Centre and generate a massive backlash in Jammu and Ladakh. Separatists will get emboldened

and new cycle of violence will begin. This will also strengthen impression among Kashmiris that PDP is unable to govern and hence its focus on emotive issues. From here, it is safe to predict that new elections will be held less than a year. From now Centre role will also come under scrutiny on how it ensures next election in a violence free atmosphere

19 Letters

Search unto Bliss-the Mysticism of the Sufis'

Dear Sir,

I received a copy of paper titled as 'Search unto Bliss - the Mysticism of the Sufis' by Debasis Bagchi, (Inspector General Enforcement Delhi Vidyut Board, New Delhi) from a friend in Delhi. I intently went through the contents of the paper which are revealing and quite fascinating. I sincerely feel that you have added some precious bits of information to the little store of knowledge that I have acquired through gleaning materials from many an authentic work germane to the subject. The treatment of the subject is scholarly without any pedantry.

But I am sorry to convey that I felt disgusted by the treatment you have given to Mir Ali Hamadani who was forced to abandon his land of birth in Hamadan by Timur who detested all Sayyids especially the Kubravi Sayyids for their indulgence in politics which to our mystics is an activity repugnant to a love-affair with God.

Cashing in on his title of a Sayyid he strained every nerve to harness the Muslim ruler of Kashmir and his state machine to expand the base of Islam in Kashmir which practically was very limited. Being liberal the Muslim ruler turned down the Mir's suggestion to place his state on the foot-stool of Sharia (Islamic law and precedent). It was in utter disgust that he left Kashmir. In his subsequent two visits he succeeded in mobilising the levers of state power for forcibly Islamising Kashmir through conversion. He never preached Islam in Kashmir or its so-called egalitarian message because he spoke Persian and was not well-versed in the local dialect. Sayyid Ali in his work Tarikh-i-Kashmir glorifies Mir Ali for having converted 37,000 Hindus at one go. Common sense tells that the miracle happened in Kashmir through the use of state power indiscriminately. Mir Ali was responsible for polarising Kashmiri society through 'dress transformation' as Dr. Parimoo characterises it. His son, Mir Mohammad Hamadani, instigated Sultan Sikander to declare a genocidal war on the native Hindus by labelling them as 'kafirs at war'.

Mir Ali fiated the Muslim ruler not to participate in Hindu fairs and festivals and divorce one of his two Hindu wives who were uterine sisters. Zakhirat-ul-Muluk testifies that twenty conditions had to be imposed on Hindus and if any denizen in the gulag had the guts to flout it, he was first to be looted and then possession of his body was halal. Dr Rafique calls the conditions 'humiliating'. My curiosity from you to know is if a dogmatic theologian with bigotry in his innards can be called a sufi, a savant or a saint. Mir Ali and many others of his breed stuck to the Muslim concept of 'Kufra' as tenaciously as other Muslims stick to it like limpets. In fact, they stand in sharp contrast to our mystics, who were essentially ascetics, quietists and peace-loving. Sir, are you aware that Mir Ali was the iconoclast who demolished the Kali temple in Srinagar?

It is astounding as to how you have come to the conclusion, of course frivolous, (excuse for the impertinence) that Mir Ali Hamadani had an impact on Lalla Ded, the person who held aloft the banner of humanism when the proselytisers were trampling it and that too very cruelly. May I politely ask you, sir, if you have assiduously studied the 'vakhs', sayings, of Lalla Ded who was characterised as a 'Shaiva Yogini' by a foreigner like Sir Richard Temple. May I again ask you, sir, about the source materials that have guided you to the conclusion as you have decisively drawn about her. If Lalla was impacted by Mir Ali, what about the impact on Mir Ali through his concourse with her? Had Lalla alone to do all the learning and Mir Ali was omniscient, a paragon of knowledge especially about esoteric affairs? It will not be wide off the mark if it be said that Mir Ali Hamadani failed to get recognition from the Muslim world which was ruled by eminent scholars like Qushairi, Ibn-ul-Arabi et al.

Calling Mir Ali Hamadani a reformer is an open aggression on facts available about him. No Sayyid Sufi anywhere had constructive programmes to regenerate their societies and the set of values integral to them. There were small-scale movements launched by sufis in African Muslim countries to purge the form of Islam prevailing there of its eclectic taints. Sufis have vigorously campaigned against sufis to cleanse

them of their native influences that were not in sync with the imperial demands of Islam as put by V.S. Naipul

Prof. M.L. Koul

Talab Tillo, Jammu.

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