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BAD MONEY CREATES PARASITIC CULTURE IN KASHMIR

ON 24TH JANUARY, an Enforcement Directorate official Saji Mohan was arrested by ATS Maharashtra for allegedly trying to sell heroin in Oshiwara. Saji Mohan is a 1995 batch Indian Police Service Officer of Jammu and Kashmir cadre. He was in charge of Jammu and Kashmir, Himachal Pradesh and Panjab during his previous posting as zonal Director Narcotics Control Bureau at Chandigarh. Saji was arrested with 12 kgs of heroin in a club subsequent to a tip off by two other arrested persons Vicky Oberoi and Rajesh Kumar. The duo had been arrested earlier by ATS Mumbai on January 17 and 1.85 kg of heroin was recovered from them. Both were linked to notorious narcotics smuggler Paminder Singh who used to smuggle Narcotics from Pakistan and Afghanistan via the international border. After investigating Saji Mohan, ATS recovered further 25 kgs of heroin at Naigoan in Central Mumbai. Saji Mohan had served in Jammu and Kashmir Police in different capacities including Additional SP Baderwah, SP Doda, SP Ramban besides Sher-i-Kashmir Police Academy.

Close to the heels of this arrest was a 13 kg heroin haul by BSF after an encounter with smugglers near the Border outpost Pul Kanjero in Attari sector of Amritsar. Two of the smugglers involved came from the Pakistan side to deliver the consignments to the two smugglers from Indian side. The two Pakistanis after sneaking across the border crawled up to the barbed wire fence. Using ropes they tried to push the consignment through a PVC pipe laid under the fence and used by the farmers for watering agricultural fields situated between the fence and the border. A few days earlier a woman Saddiqiyan, who had made a fake passport to visit Pakistan, was arrested alongwith Akhtar Abbas at Attari sector and 8 kgs of heroin worth 40 crores was recovered from their possession.

With these arrests the deep roots of Narcotic trade linked to

Jammu and Kashmir have once again come to the fore. Unfortunately the illegal economy in the state and its implications has remained not even peripheral concern for Kashmir analysts and think tanks. How this illegal economy impacts the politics, local, regional and international and what are its implications on society are subjects which eventually are ignored.

Regular seizures of drugs along the LoC and IB in the state, Hawala money and counterfeit currency has been a feature of counter terrorism operations in the state and local papers have been regularly reporting such incidents. The discourse on Kashmir at the political level in India eschews this dimension. However experts of International repute have taken significant and serious notice of linkages between terrorism in Kashmir and its financial support through drug trade. Yousuff Bondansky while highlighting the pan Islamist linkages of terrorism in Jammu and Kashmir reports about the master plan for Islamist insurgency in Cacusus and Kashmir drawn at Mogadishu, Somalia in 1996 in which Osama bin Laden and high ranking Irani intelligence officers were also present. As per Bodansky Javed Ashraf of ISI was handed over the task of providing arms and amateurs and paying for the transportation of Islamist fighters from the training camps in Afganistan, Pakistan, Lebanon and Sudan to the new Islamist Jihad fronts in Chechenya and Kashmir. Harnessing drug financial system to support such an endeavour has been the easiest and readily available channel given the poppy fields of Afganistan and parts of Pakistan.

Drugs and Narcotics:

The narcotics hauls by police in Jammu and Kashmir provide an insight into the magnitude of the problem. The

arrest of Vicky Oberoi, Rajesh Kumar and official of enforcement director Saji Mohan alongwith heroin provides a glimpse into entrenchment of narcotic cartels. But they are not isolated cases.

On 15 November 2008 Ferozpur police recovered 2 kgs of heroin worth 10 crore rupees. The Jammu and Kashmir Police cracked a well knit racket of Indo Pak trans-border narcotics smugglers operating from Jammu and Saikot districts. Three smugglers all residents of Arnia were arrested. During interrogation it was revealed that consignments of pure heroine totalling 60-65 kg were transferred to India in one year alone. The value of such quantity is 65 crores.

12 kgs of poppy straw was recovered by Samba Police on August 11, 2006 alongwith 4 kgs of charas. The poppy straw or husk is a local variety of narcotics called as Bhukki which is consumed mostly by the drivers in North India. Both charas and Bhukki are local varieties of narcotics prepared in Kashmir valley.

In December 2006 BSF recovered 25 kgs of heroin along the international Border in RS Pura area of Jammu sector. In July 2006, 4 kgs of charas was recovered from a smuggler in Doda town.

J&K Police recovered 26 kgs of poppy husk (Bhukki) and 6.5 kgs of charas in Talab Tillo area of Jammu city on June 3, 2005. In April month of the same year more than

(Contd. on Page 4)



Fake currency notes recovered from Bangladesh nationals

COVER STORY

SOURCE OF FUNDING

Straight funding from Pakistan	20%
Funding from Narcotic drugs	25%
Funding from illegal sale of Arms	20%
Funding through Counterfeit Currency	10%
Funding from ZOHAT (an Islamic Tax)	5%
Funding from International Islamic Org.	5%
Funding from Org. of Islamic countries	5%
Funding through donations	5%

Source: Narcotics Control Bureau Jammu Zonal Unit

Kashmir Sentinel and Panun Kashmir Foundation mourn their sad demise and pray for the peace to the departed souls

1. Padamshree Pushkar Bhanoriginallyresident of BudshahNagar Sgr, 22-SS Lane Sector-1, Durga Nagar, Jammu and presently residing at 305, Sector-3, R.K.Puram New Delhi. 5/10/2008
2. Smt. Prabha Jee Hakhu W/o Late R.C. Hakhu originally resident of 34 Gogji Bagh Sgr; presently residing at 185/2 Pamposh Colony, Janipur Jammu. 7/10/2008
3. Smt.Santosh Kumari (Behan Ji) D/oLt. Sh.Kanth Ram Ananad R/o Kupwara Kashmir and presently residing at H.No: 291/A Lane No: 6, Lakkari Mandi Janipur, Jammu. 7/10/2008
4. Sh. Satish Kumar Vuthoo originally resident of Sgr; presently residing at H.No: 208, Sector-3, Channi Himmat Jammu. 7/10/2008
5. Sh.H.N. Pattoo S/o Late R.K. Pattoo of Bul Bul Lankar Sgr; presently at H.No: 475, Pocket-6, Sector-2, Rohini Delhi. 7/10/2008
6. Smt. Roopa wife of Sh. Jia Lal Koul of Lok Bhawan Anantnag Kmr; presently residing at H.No: 570, Lane No: 5, Suryavanshi Nagar, Muthi Jammu. 8/10/2008
7. Smt. Somawati W/o Sh. Soom Nath Bakshi previously resident of Wachi Pulwama Kmr;/ Chanapora Sgr; presently residing at 16-A-Roop Nagar Enclave, Block-B, Jammu. 8/10/2008
8. Smt. Kamlawati W/o Late Sh. S.N. Raina (advocate) presently resident of Flat No: 79, Sector-2, Pocket-3, Rohini Delhi. 8/10/2008
9. Sh Manmohan Bambroo S/o Sh. Nath Ram Bambroo originally resident of Akura Mattoo Anantnag Kmr; presently residing at H.No: 125, Ganesh Vihar Lower Muthi Jammu. 9/10/2008
10. Smt. Phoola Bhat W/o Sh. B.L. Bhat R/o Bandipora Kmr; presently residing at H.No: 38-E, Lane No: 5, Lower Shiv Nagar Jammu. 9/10/2008
11. Smt. Meenawati W/o Sh. Madhusudhan Raina R/o Drusoo Pulwama Kmr; presently residing at Saraswati Vihar Lane-7, Anand Nagar, Bohri Jammu. 10/10/2008
12. Smt. Roopa Jigri W/o Late Sh. J.N. Dhar of Barzulla Sgr; presently residing at H.No: 5, Friends Lane Bharat Nagar Barnai Road, Bantalab Jammu. 10/10/2008
13. Smt. Satyawati Dhar W/o Sh. D.N. Dhar presently residing at Khanpur Nagrota Jammu. 10/10/2008
14. Sh. Sham Lal Bhan S/o Late Sh. Amarchand Bhan, R/o D-30, Anand Vihar Delhi. 11/10/2008
15. Sh. Prithvi Nath Peer originally resident of Reshi Peer, Ali Kadal Sgr; presently residing at H.No: 51, Subash Nagar, Ext-IIInd, Jammu. 12/10/2008.
73. Sh. Daya Krishen Koul S/o Late Sh. Shamboo Nath Koul R/o Batgund Handwara Kmr; presently residing at Natar Kothian Barnai, Lane No: 10, Jammu. 12/10/2008
16. Smt. Janki Devi Munshi wife of Sh. Ramchand Munshi of Chinkral Mohalla Habbakadal Sgr; presently residing at 40-A, Lane No: 1, Sharika Nagar Enclave, Gole Pulli Talab Tillo, Jammu. 12/10/2008.
17. Sh. Bihari Lal Chirvoo S/o Late Sh. Badri Nath Chervoo of Nazuk Mohalla Anantnag Kmr; presently residing at Laxmipuram, Sector B-I, Chinore Bantalab Jammu. 13/10/2008.
18. Sh. Jagan Nath Reshi (Raina) S/o Late Sh Thakur Zoo Reshi originally resident of Khanda Bawan Nawakadal Sgr; presently residing at H.No: 17, Sector-A, Bharat Nagar, Talab Tillo, Jammu. 13/10/2008.
19. Smt. Uma Devi Bhan wife of Late Sh. Rajnath Bhan originally resident of Karfalli Mohalla, Dalhasanyar Habbakdal Sgr; and presently residing at C-5, Surbhi Co-operative Housing Society, Sector-32 Guergaon. 13/10/2008
20. Pt. Sarwanand Bhat S/o Late Sh. Vishnu Bhat of Zewan Sgr; presently residing at H.No: 114, Vasuki Vihar Paloura, Jammu. 14/10/2008.
21. Sh. Roop Krishen Channa S/o Late Sh. Prem Nath Channa original resident of Ganpatyar, Sgr; presently resident of H.No: 16, W.No: 3, Gali No: 2, Indira Colony Janipur (Old) Jammu. 15/10/2008
22. Dr. T.N. Vaishnavi S/o Late Sh. Anand Joo Vaishnavi R/o B-7, Basant Nagar, Janipur, Jammu previously resident of 154 Bagh Sunder Chattabal Sgr. 15/10/2008
23. Sh. Badri Nath Koul S/o Late Sh. Rughnath Koul Purshiyar Habbakadal, Peer Bagh Sgr; presently residing at A-2/211, Phase 5, Mandir Marg Aaya Nagar, New Delhi. 15/10/2008
24. Smt. Sunita Bindroo W/o Sh. Vijay Kumar Bindroo R/o Sarai Bala Sgr; presently residing at H.No: 277, Hari Singh Nagar Rehari Colony Jammu. 15/10/2008
25. Sh. Soom Nath Koul S/o Late Sh. Bishambar Nath Koul R/o 319 Vipin Garden, Kakrola Morh, Uttam Nagar New Delhi formerly resident of Dadi Kadal, Tankipora Sgr. 15/10/2008
26. Smt. Raj Laxmi Chiragi W/o Late Sh. Raj Nath Chiragi R/o C-5, Pratik, Collectors Colony Chimbur Mumbai, originally resident of Badiyar Payeen Sgr. 15/10/2008
27. Sh. Kanaya Lal Bhat S/o Late Sh. Ram Chand Bhat of Gund Gushi Kupwara Kmr; presently resident of H.No: 52 Sector-I, Laxmi Nagar Muthi, Jammu. 16/10/2008
28. Sh. Rattan Lal Mattoo S/o Late Sh. Jaggan Nath Mattoo of Razdan Kocha Banamohalla Sgr; presently residing at H.No: 478, Sector-13, Vasundara Sahibabad, Gaziabad (UP). 16/10/2008
29. Smt. Asha Munshi W/o of TK Munshi R/o H.No: 287, Sector-3, Channi Himmat Jammu. 16/10/2008
30. Sh. Girdhari Lal Bhat originally resident of Village Devar Tral Kmr; presently resident of H.No: 44, Lane-2, Sham Vihar Gole Pully Talab Tillo, Jammu. 17/10/2008
31. Smt. Sham Rani Nehru W/o Sh. Sham Lal Nehru R/o Panzala Baramulla Kmr; presently residing at A/184/1, Vijay Vihar Phase-I, Sector-5, Rohini Delhi. 17/10/2008
32. Smt. Kanta Tickoo W/o Late Sh. Narayan Tickoo R/o Badiyar Bala Sgr; presently residing at H.No: 88, Sector-1, Ganga Nagar Bantalab Jammu. 18/10/2008
33. Smt. Rani Koul (Jai Kishori Koul) W/o Sh. J.L. Koul R/o H.No: 11, Lane No: 4, Hazuri Bagh, Talab Tillo, Bohri Jammu. 18/10/2008
34. Smt. Kamlawati Mattoo W/o Late Sh. Tara Chand Mattoo originally R/o Mattoo Mohalla, Anantnag Kmr; presently resident of 249-J-2, Sector-II, Muthi Jammu. 18/10/2008
35. Smt. Lalita Munshi W/o Sh. Vijay Kumar Munshi of Bulbul Bagh Barzulla Sgr; presently resident of H.No: 1268, Sector-17, Faridabad Haryana 18/10/2008
36. Sh. K.K. Raina of Malayar Habbakadal Sgr; presently residing at Ontrio Cannada. 18/10/2008
37. Sh. Avtar Krishen Koul S/o Late Sh. Sham Lal Koul formerly resident of 69-Bana Mohalla 2nd Bridge Habbakadal Sgr; presently residing at H.No: 325, Shanti Nagar, Topsherkhania Jammu. 19/10/2008
38. Smt. Ichawati Handoo W/o Late Sh. Radha Krishen Handoo originally resident of Chirmanpora Motiyar Rainawari Sgr; presently residing at 940-A, Opp. Govt. Qtrs. Block-T, Subash Nagar, Jammu. 19/10/2008
39. Sh. Prem Nath Nehru R/o Panzala Baramulla Kmr; presently at 272-A Vijay Vihar, Phase-1st, Sector-5, Rohini Delhi. 19/10/2008
40. Sh. Mohan Lal Bhat S/o Late Sh. Ram Chand Bhat R/o Nagam Chadoora Budgam Kmr and presently residing at H.No: 93-B, Lane No: 12, Bhawani Nagar, Janipur Jammu. 20/10/2008
41. Sh. Kashi Nath Dhar S/o Late Sh. Sarwanand Dhar of Gund Villgam Kupwara Kmr; presently residing at Qtr. No: 48, Phase-1st, Purkhoo Camp, Jammu. 20/10/2008
42. Sh. Prithvi Nath Raina S/o Late Sh. Shankar Nath Rania of Chowgam Qazigund (Heera Mohalla) Anantnag Kmr; presently resident of Qtr. No: 704, (Jhari 112) Nagrota Camp, Jammu. 20/10/2008
43. Smt Raj Mohini Raina W/o Late Sh. Girdhari Lal Raina (Gurtoo) R/o C-8629, Vasant Kunj New Delhi. 20/10/2008
44. Sh. Shibani Krishen Zutshi S/o Late Sh. T.N. Zutshi of Gankhan Zainakadal Sgr and now at H.No: 39, Lane No: 3, Pamposh Colony Janipur, Jammu. 21/10/2008
45. Smt. Gouri Shori W/o Late Sh. N.C. Pandita of Khalhar Sagam Kokernag Anantnag, Kmr; presently resident of Qtr. No: 192, Muthi Camp Phase-IIInd Jammu. 22/10/2008
46. Sh. Dwarika Nath Bhat S/o Late Sh. Nand Lal Bhat R/o Village Chotigam Shopian Kmr; presently residing at H.No: 209, Amitnagar Muthi, Jammu. 24/10/2008
47. Sh. Ram Chand Bhat S/o Late Sh. Sarwanand Bhat R/o Chowkipora Bagath Kanipora Chadoora Budgam Kmr; presently Qtr. No: 375, Top Sherkhian, Jammu. 24/10/2008
48. Smt. Rajni Raina W/o Rajnath Rania originally resident of Kathwara Budgam Kmr; presently residing at Flat No: 201, Sagar Sarwat, IInd Floor, Malwani Housing Society Maheda CComplex, Malwani Malad Mumbai West. 25/10/2008
49. Smt. Nancy W/o Rajnath Koul originally R/o Kharpora Bandipora Kmr; presently putting up at H.No: 28, Amit Nagar near Church Muthi, Jammu. 25/10/2008
50. Smt. Somawati Bhat W/o Late Prem Nath Bhat of Fathipora Anantnag Kmr; presently resident of H.No: 19, Lane No: 4, Bharat Nagar Bantalab Jammu. 26/10/2008
51. Sh. Shamboo Nath Bhat originally resident of Katrasoo Kulgam Kmr; presently residing at H.No: 151 Sector-3, Durga Nagar Jammu. 27/10/2008
52. Sh. Predman Krishen Dhar S/o Late Sh. Radha Krishen Dhar of Chinkral Mohalla Habbakadal Sgr and presently R/o A-4, Ellora Anushakti Nagar Mumbai. 27/10/2008
53. Smt. Prabawati Langar W/o Late Sh. Janki Nath Langar of Zaindar Mohalla Sgr and presently resident of H.No: 6A Lane-7, K.B. Nagar Bantalab Jammu. 28/10/2008.
54. Smt. Santosh Raina W/o Sh. J.K. Raina R/o H.No: 50, Pawan Enclave Naseeb Nagar, Janipora, Jammu. 28/10/2008.
55. Sh. Triloki Nath Miskeen original resident of Malapora Habbakadal Sgr; presently putting up at Delhi. 28/10/2008
56. Sh. Nanak Chand Mantoo S/o Late Sh. Bishan Das Mantoo R/o Ram Ghat Baramulla Kmr and presently residing at Viman Nagar Pune. 28/10/2008
57. Sh. Gopi Nath Pandita of Batapora Shopian Kmr; and presently resident of H.No: 74, Sector-1, Laxmi Nagar, Muthi Jammu. 29/10/2008
58. Sh. Mohan Lal Misri S/o Late Sh. Janki Nath Misri originally resident of Bagat Barzulla Sgr; presently at Channi Himmat Jammu. 29/10/2008
59. Smt. Mohan Rani W/o Mr M.L. Raina originally residento Village (Pulwama) Mahjoor Nagar Sgr; presently putting up at H.No: 444, Sector-2, Vinayak Nagar, Muthi Jammu. 30/10/2008
60. Sh. Ganpatrai Khashu S/o Late Sh. Govind Ram Khasru originally resident of Malchimar Ali Kadal Sgr; presently resident of H.No: 113-C, Durga Nagar Talab Tillo Jammu. 31/10/2008
61. Sh. Radha Krishen Miskeen S/o Late Sh. Sudhama Joo Miskeen Tikoo of Ganpatyar Sgr;presently residing of H.No: 72, Sector-1, Sanjay Nagar Jammu. 31/10/2008
62. Sh. Bansi Lal Koul (Nazir) of Zainakadal Sgr; presently putting up at 46-D, Kanchan Junga Appts. Sector-53, Noida. 31/10/2008

EDITORIAL

Terrorist Financing—Bring J&K Into Focus

9/11 ATTACK on twin towers in New York forced the strategic experts in the countries effected by terrorism to address the issue of terrorist financing. Colin Powel underlined the importance of choking funds to terrorists by stating unambiguously that, "Money is the oxygen of terrorism." India's ambivalent and procrastinating attitude to deal with terrorism not to speak of terrorist financing has started raising hackles in the international community. Even the UN report on India's anti-terrorism preparedness identifies specifically that domestic laws here do not comply with the UN Resolution 1373.

Post 26/11 situation has created a reasonable space in the public domain to facilitate political consensus on evolving a comprehensive response to weed out terrorism across the nation. For the first time a serious debate has started in the public realm on financing of terrorism and the critical necessity to strangle it. The experts on strategic affairs, have been, for more than a decade, urging the political class to combat terrorism as well as the economic subversion of this nation.

While the drug cartels churning money for Islamist terrorism spreading from Afghanistan right into our heart have been in some focus, the injection of counterfeit money has received very little attention. This is not to recognise that our responses to counter drug trade have been anywhere near reasonable and adequate. As per-estimates of Ministry of Home Affairs, made almost a decade back, narcotics valuing about 5000 crores are annually being smuggled into India from Golden crescent countries--Afghanistan, Pakistan and Iran. 75% of all heroin supplied to Western Europe, and 50% to USA goes from this region of golden crescent. A significant share of this heroin smuggling uses India as an exit route. The drug cartels continue to ravage our economic system by dumping money into our economic system. However the menace of counterfeit currency acts as a force multiplier for financial support structures of terrorism with relatively low risks and involvement of less manpower.

The Injection of counterfeit money into economic system of India by Pakistan has assumed critical national security implications. It is no longer an issue in the realm of economic crimes. In mid nineties the security establishment in India was shocked when 600 crore rupees of fake Indian currency were attempted to be deposited in a Mumbai Bank

in one go. The recovery of fake currency Indian notes has risen from around 2.16 crore rupees in the year 2001 to 10 crore rupees in 2007. Almost a five fold increase. But it is only a drop of the counterfeit money floating around. As per some intelligence estimates 50,000 crore fake currency Indian notes were being pumped into India per month during the year 2008. This means 6 lakh crores of fake currency has gone into our financial system during 2008.

The rough margin of profit in this enterprise is said to be 1:5 by experts. This means Pakistan has earned one lakh and twenty thousand crore Indian rupees in a year through fake currency injection into India. It also means that the collaborators in India have earned four lakh eighty thousand crores during the same year. How these colossal amounts generate a parasitic class which gets incorporated into a war of subversion against our nation can only be imagined.

There are no available estimates in the public sphere about the magnitude of the menace of drug money, hawala money and counterfeit money involved in running the terrorist operations and separatist campaigns in Jammu and Kashmir state. Although the regular feature of counter terrorism operations in the state has been the seizure of narcotics including local charas and bhukki, hawala money and fake currency Indian notes from terrorists and their overground operators, yet this dimension has rarely become an important element of decision making about Jammu and Kashmir. The illegal economy in Kashmir Valley is destroying the public enterprise and creativity. Tragically this aspect never figures in the political debate in the state or at the centre. In the absence of estimates of illegal economy in Jammu and Kashmir this debate will never take place and generate any public reaction.

India needs to combat terrorism through strong domestic measures to stop financing of terrorism. This can be complemented by strengthened international cooperation. Both operative and legal remedies have to be created. The importance of financial support structures for terrorism in Jammu and Kashmir has not to be lost sight of. It is more so because the illegal economy generated by narcotics and fake currency is gradually taking a grip of the social sphere in the state. Also because the destabilisation of Jammu and Kashmir is the core target of the machinations of Pakistan in its war against India.

LETTER

Dated: 4/2/09

"Unique"

Sir,

I have no words to express my heartfelt appreciation of the *Kashmir Sentinel* of July 008 issue.

All articles published from front page

to the last line such as your valuable editorial quoting immortal words of Swami Vivekanand who visited the Valley with sister Nivedita, hidden agenda, hullabaloo, derailing yatra, Kashmiriyat's true colours, Sinha and Azad's disclosures regarding role of a local party and distribution of money by Pak and Saudi Arabia, yatr's experiences, tirtha of Lord

Amareshwar Jee narrating its earliest references and geography, complete history, darshan and its tradition in the Valley and excerpts from the leading papers and its journalists have made the issue worth preerable.

Due to such type of articles which were never read before, K.S. has gained prestige. This paper has been providing

the readers new dismentions of Kashmir's untouched subjects so far.

Please accept our thanks and congratulation for untiring job and services which you are rendering in quite different atmosphere for the sake of country.

--K.D. Tiwari
Barra-7, Kanpur

Bad Money Creates Parasitic Culture in Kashmir

(From Page 1)

10 kgs of charas was recovered from a drug peddler in Kud, Udhampur.

In November 2004 in one of the biggest narcotic hauls in Jammu city the police recovered 11 kgs of heroin worth 11 crore rupees. Heroin was Pakistan made to be transferred to Delhi. In January 2002 Phagwara police arrested five persons including two surrendered militants of Hizbul Mujahideen with 20 kgs of charas.

In May 2003 Narcotics Control Bureau Delhi arrested Mohd. Amin Jaffer of Anantnag a member of Al-Jihad with 25 kg of Charas.

The narcotic hauls during last few years given above are neither exhaustive nor complete. However it provides an ample evidence of the state of affairs. While areas adjacent to LoC and IB in Jammu sector are mainly involved in heroin smuggling, the charas and the local variety of poppy husk Bhukki is mainly produced in Kashmir valley. Reports of poppy cultivation in areas of South Kashmir and hinter land of Wullar lake have also surfaced from time to time.

The evidence available of the narcotics trade in the state is only the tip of the iceberg with number of drug addicts increasing both in Kashmir valley as well as Jammu. The menace is making inroads into the society.

The death of a 12th class student in mysterious circumstances at Dalgate Srinagar in January 2004 brought the extent of drug culture into the society in Kashmir valley to the fore. The dead body of the student Mehfooz Ahmad Khan son of Ghulam Mohi-ud-Din Khan of Sanat Nagar area had been recovered by a patrol party of Ram Munshi Bagh station from a parked Maruti car. Police had recovered the identity card of one Shuja Rasheed who was a son of Deputy SP, from the car. The people suspected the death had taken place due to overdose of drugs.

Hawala money:

'Hawala Money' has over the years emerged as a very important component of the illegal economy in the state. 'Hawala' has been used as a main channel to fund the separatist coffers and feed the terrorist regimes in Jammu and Kashmir. Acting as an alternative Banking system for illegal transactions very elaborate networks of Hawala agents as well as innovative methodologies have evolved in the state over a period of time.

A prominent Kashmir Pandit

who visits Kashmir valley frequently was amazed this summer when one of his Muslim friends took him to a ready made garments shop in Srinagar city to observe the sale transactions. The KP noticed that out of many sale counters in the shop only one counter was having rush and customers had to stay in queue. He saw that after purchasing garments from the counter many of the customers tore off the brand labels after coming out of the shop. After enquiring he came to know that it was a very sophisticated Hawala procedure. Instead of sending hard cash the hawala agents send branded ready-made garments to valley. They are sold at prices lower than the market value for those brands to ensure their total sale. To disguise the operation a local brand label is pasted over the original one. The sale proceeds go to the earmarked destination. The sales outlet earns his commission which is hefty. The process takes the shape of normal business and circumvents the risk of sending huge sums of hard cash through hawala agents. Hawala operations invariably require a chain of overground workers and subversive tactacles.

Hawala operation came to public view with the exposure of Jain Hawala Scandal. The Kashmir connection in this Hawala Scandal was most visible. Jamali Khan a Hawala operator, GM Bhat a close aide of separatist leader Syed Ali Shah Geelani and legal advisor of Hurriyat Conference and Delhi based businessman RK Jain were booked after Jamali and his wife were arrested while transporting RS 50 lakh hawala cash to Srinagar. As per reports all the three had confessed of having pumped hawala money worth more than Rs 8 crore in Kashmir valley at the behest of Gulf, Pakistan and England based businessmen for almost three years. This hawala operation was a part of a racket operating not only in Kashmir but the entire country.

Nasir Safi Mir considered as the financial muscle of Hurriyat Conference was arrested for ferrying Rs 55 lakh and explosives in February 2006. Mir is Dubai based and owns carpet showroom and money exchange firms in Gulf. Mir was spotted publicly with Hurriyat moderate leader Mir Waiz Umar Farooq. Mir's father was also arrested in 2001 for funding militant groups in Kashmir Valley.

The Mumbai 7/11 serial blasts were also financed through Hawala Channel. One Saudi Arabian opera-

tive Rizwan Ahmad Davre, an IT professional, is beleived to have financed the entire operation from Riyadh by channeling funds sent by LeT Commander Azam Chema from Pakistan to Mumbai through hawala network. Davre had single handely bank rolled the whole operation to the tune of over Rs 1 crore that he kept sending to Faizal Sheikh the suspected LeT chief of Mumbai.

Police arrested one Naseer Ahmad from Bhatt Dhar in Mendhar for being part of a hawala network busted by Police in Rajouri in Sept. 2006. He was suspected to be transferring money to Jaish-e-Mohammad network.

In July 2006 a militant Aijaz Hussain was arrested in South Delhi with 2.5 kgs of RDX and Rs 49 lakhs of hawala money.

Police arrested in April 2006 top functionary of Hizbul Mujahideen Mohammad Shafi Sheikh at Doru Sopore. He was a trained terrorist and financial controller of HM who had distributed Rs 41 lakh to various local militants.

In April 2006 a Hawala Network linked to Pir Panchal Regiment of Hizbul Mujahideen was busted. Its main functionary Advocate Aijaz Zaki was arrested alongwith his three accomplices. They would distribute money to various terrorist operatives.

In Jan 2005: Intelligence Bureau captured a hawala operator of Kashmir for smuggling cash consignments from New Delhi to Doda. Mushtaq Ahmad of Srinagar was arrested along with Rs. 50,000 hawala money. Alongwith Mushtaq three militants were arrested with hawala money of 9.38 lakh rupees meant for terrorists at Bari Brahmana Jammu in 2005.

One of the main financiers for terrorists in valley has been Ayub Thakur who died in 2004. He had created a UK based world Kashmir freedom movement (WKFM) for clandestinely funding secessionist movement in Jammu and Kashmir. Indian officials handed over evidence of Clandestine funding by WKFM of terrorist groups in J&K to British government.

The UK based Thakur's charity failed to conceal the flow of funds into J&K for separatists and terrorists. The passage of these funds was through standard chartered Grindlays Bank and Development credit Bank. A Srinagar based Newsman recovered Rs 4,84,875 into his account in standard chartered Bank and 11,98,00 in Development Credit Bank.

In November 15,2003, police revealed that HM Financer Khalid Hussain had given a consignment of 10 lakh rupees to brother and sister in Sidhra Jammu. Ali Mohd and his sister Nadir Tabassum (Sweetie) received the money but a major part of it was either looted or misappropriated. The brother sister duo was arrested. They had to transfer the money to Jamaal Din of Gool who was the deputy financial chief of Hizbul Mujahideen for Pir Panjal range.

The 'Hawala' transactions reveals not only the modus operandi of money transactions but also the elaborate network of overground

FUNDS GIVEN TO TERRORISTS IN J&K

	Foreigners (includes Pak)	Kashmiris
Upfront money given at the time of Recruitment	Upto Rs 50,000	Upto Rs, 25,000
Monthly Payment	Rs 10,000	Rs 8,000
End of tenure payment	Rs 2,00,000 to Rs 2,50,000	Rs 1,00,000 to Rs 1,50,000
For a spectacular act of terrorism	Rs 1 to 2 lacs	Rs 1 to 2 lacs
Payment given to a supremo or top leader	Rs 50,000/- month	Rs 50,000/- month

workers who are part of a elaborate subversive establishment. This establishment is gradually transforming Kashmir valley into a den of illegal economy causing irreparable damage to the social set up.

Fake Currency:

By far the most important aspect of illegal economy in Jammu and Kashmir state, particularly in valley which has received minimum attention, is the introduction of fake currency Indian notes. During last decade the role of Fake Currency in impacting the socio economic scene in Kashmir valley is more than anything else. Injection of fake currency seems to have crossed the boundaries of clandestine operations. It is becoming the part of socio-economic culture. While the drug trade, despite its enormous role in sustaining separatist campaign in valley, continues to be a social taboo in the public realm, the fake currency operating in valley does not carry the same connotations.

The interactions of people living in Jammu with Kashmir in valley reveal the widening role of fake currency in the valley. A Handicrafts trader who after displacement shifted to Himachal was casually told by his supplier in valley to use fake currency to increase the margin of his profits. "How much do you earn in a month! Don't you want to double your earnings." Baffled he reported back, "You know it very well that our family has been doing this business for last six decades. We have done well by the grace of God. I have around 20 employees to pay. Yet I cant imagine a way to double the earnings in my business in a short span of time. Are you talking about some magic." He was stunned when he was told. "Take this currency (fake) and spend it gradually through your sale outlets. You will double your earnings."

In an interaction during a party a gentleman boasted that he had during mid nineties himself seen the money deposits from various post offices in valley done in a Jammu bank. "The post office official along with the deposits in the bigger bag handed over a smaller bag to the official in the bank." The deposits in the bigger bag were perhaps in fake currency as per him and the money in smaller bag was genuine meant to be commission to the officials in the loop of the racket.

Recently a gentleman had a very interesting anecdote to share. He had received Rs 30,000 from a Kashmiri Muslim in a business transaction.

He went to deposit it in a bank. The notes he had received were all fake. The bank official immediately put him to enquiry. He revealed the source of the money to the bank officials. The Muslim businessman who had given the money was called to the Bank premises. The Businessman came to the Bank with a non-chalance and accepted that he had given the money to the person. While everybody else in the room was listening with amazement to his frank admission the Khwaja got up lifted the lid of the Bukhari (room heater) and put all the 30,000 fake notes into it. He then turned to the Bank official and told him that the matter was over now. Bank official thought it prudent not to report the matter to police. The gentleman who had gone to deposit the money confessed that he also felt obliged the way Khwaja relieved him of the trouble of further investigation.

These coffee table anecdotes may be exaggerations with a predominant subjective element. But all the same they provide an insight into the public discourse. Realistically they do not seem to be divorced from the hard realities which have come to the fore from time to time. On 29th January 2009 BSF along with 13 kgs of heroin seized Rs 33 lakh fake currency notes in Attari sector in Punjab. In November 2000 police arrested smugglers with heroin and fake currency Indian notes worth Rs 50,000 in Ferozpur Punjab. In the same area a few days earlier two smugglers were arrested alongwith arms, narcotics and Rs 21 lakh fake currency notes. Four Kashmiri Muslim Youth were arrested on Nov 18, 2006 with Rs 3 lakh fake currency in the denominations of Rs 500 and Rs 1000 notes in Jammu city. The incidents of recovery of fake notes has been going on for years and is not a recent phenomenon. In Jan 2004, J&K police unearthed a mini composed unit of making fake currency in Trikuta Nagar from a police officials son and recovered over Rs 34,000 fake currency Indian notes.

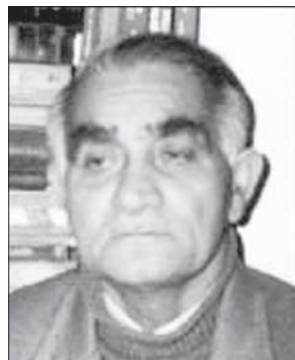
In Feb 2004 Delhi Police recovered fake currency worth over Rs 12 lakh from 3 persons. The equipment for printing was also seized. In March 2004, J&K police arrested three racketeers in Jammu city and recovered Rs 8.5 lakh worth fake currency from their possession. In Dec 2004 the Directorate of Revenue Intelligence seized fake

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RECOVERY OF FAKE CURRENCY NOTES IN INDIA

Year	Total Cases	Total Fake Notes Recovered	Amount
2001	934	2,15,992	5.3 Crore Rupees
2002	829	3,31,034	6.6 Crore Rupees
2003	1464	3,88,843	5.7 Crore Rupees
2004	1176	4,34,700	07 Crore Rupees
2005	1990	3,61,700	6.9 Crore Rupees
2006	1789	357496	8.4 Crore Rupees
2007	2204	-	10 Crore Rupees

Source: National Crime Records Bureau



By Dr. M.K. Teng

The English and the European historians of the British empire in India, nursed a vested interest in their resistance, to recognise the Sanskrit content of the Indian civilisation as a fact of the history of the sub-continent. To perpetuate the British rule in India, they sought to divide the Hindu society in order to dilute the Hindu majority character of the Indian population, which they knew was the only formidable force they had to contend with. The conflict between the British outlook and the Indian aspirations came to surface with the Indian renaissance which provided ideological content to the national movement in India and for civilisational frontiers of the Indian nation.

The Muslims in India had also a vested interest in refusing to recognise the Sanskritisation of India as a fact of history. They had ruled India for a thousand years and all through their rule they had followed their religious responsibility to de-Sanskritise as much of India as they were able. The Muslims spurned the Indian renaissance and Muslim India, in whatever way it was described by the British and the Muslims themselves or even the Hindus, did not share the national response to the Indian renaissance evoked. They rejected the unification of India on the basis of the Sanskrit content of the Indian civilisation, the continuity of the Indian history and the civilisation frontiers of the Indian nation, the Indian renaissance underlined. The ideological com-

CROSS-BORDER TERRORISM: A Historical Perspective

mitments of the Indian national movement were bound to reverse the de-Sanskritisation of India, the Muslims had followed. As the national movement spread out to the masses of the Indian people and assumed a more revolutionary course with the commencement of non-cooperation, the Muslim leadership stepped up the campaign of Tablig, propagation of Islam and Tahreek its operationalisation through an organisational movement the Tanzim to re-state their rejection of unity of India on the basis of its civilisational frontiers.

The Muslims leadership did not take long to recognise the identity of interests between the British and the Muslim in India and assigned themselves in support of the British empire. Mohammad Ali Jinnah who supported political reform in India on the basis of British liberal tradition, parted with the Indian Congress, no sooner, the Congress described parameters of the Indian struggle for freedom. Jinnah was a Muslim, who conceptualised secularism in terms of liberalist reform, which the British empire in India enshrined. Freedom of India from the British empire, envisaged the empowerment of the Hindu majority in India, which was bound to identify the Indian unity with the civilisational frontiers of India. The Muslim leaders, including Mohammad Ali Jinnah, supported the Indian national movement only so far it accepted de-Sanskritisation of India as a part of the Indian freedom movement.

The Indian renaissance evolved widespread response from the Indian states people and they assumed a revolutionary role in the Indian national

struggle. The Muslim leadership expressed strong disapproval of the extension of the Congress activities to the states. The states people formed one-fourth of the population of India and the states spread over one third of the territories of India. For the Muslim leadership, the states, particularly the Muslim ruled states were independent of the Hindu India which claimed freedom fearful of further alienation of the Muslims, Gandhi and a part of the Congress leadership, forbade the extension of Congress activities to the States, a policy for which the country had to pay a heavy price in the long run.

The leadership of the Indian National Congress attempted to resolve the ideological conflict by offering to accept a political organisation of a United India, which did not recognise the civilisation content of the Indian history as the basis of the Indian unity and which did not recognise the civilisational frontiers of the Indian nation, the Indian renaissance had described. The Congress leadership offered to accept constitutional reorganisation of India, within the broad structure of the British empire, which was based upon a configuration of political power, representing the ethnic diversity of India and the interests of the various religious communities and ethnic groups which constituted the population of India. The Congress leadership went to the extent of accepting a division of power in India, on the basis of religious divisions of the Indian population when it accepted the cabinet Mission Plan for the transfer of power to the Indian hands.

It is a little known fact that the Cabinet Mission Plan was actually the handiwork of the Muslim leadership in the Congress and the whole plan was stealthily conveyed to the members of the Cabinet Mission, with the assurance that it would be accepted by the Muslim League. The plan appeared to be acceptable to the British, because, it virtually recognised the separate identity of the Muslim India, ensured a separate political identity of the princely states and retained the British the power to safeguard the political arrangement, it envisaged.

The Cabinet Mission envisaged the establishment of a multi-national state of India



A scene at railway station mumbai after the terrorist attack.

constituted of a Muslim India, a Hindu India and an India of the princely states. The Muslim India was constituted of the Muslim majority provinces with the non-Muslim majority province of Assam and the Hindu India was constituted of the remaining Hindu majority provinces. The India of the princely states was constituted of five hundred and sixty two large and small Indian princely states. The three Indias were united in a loose federal union of which the federal centre was vested with powers in respect of foreign affairs, defence and communications. However, the federal centre was not vested with powers to raise finances to exercise its powers.

The Cabinet Mission Plan recognised the separate identity of the Indian princely states and offered them the option to accede to the federation or remain out of it. The princely states, many of them ruled by Muslim potentates stubbornly refused to join the federation. The Muslim rulers claimed the right of conquest and prescription to hold on to their kingships as well as the prerogative to govern their subjects in accordance with the principles of their faith.

Nehru, who was elected the President of the Indian National Congress in the meantime, reiterated the resolve of the Indian people to make the federal centre an effective instrument of governance and warned the rulers of the princely states against any attempt to remain out of united India. Nehru's rejoinder unhinged the Muslim League, which was reported to be secretly encouraging demographic changes to consolidate its hold on Assam and supporting the Princes, particularly, the Muslim rulers to remain out of the Indian federation. The League leadership repudiated its acceptance of the Cabinet Mission Plan and in consequence gave a call for Direct Action for the realisation of Pakistan. The Direct Action, launched in August 1946, plunged the country into a civil war. Gandhi's non-violence struggle for the unity and freedom of the country below in smoke. The

Direct Action drove the wedge deep enough to break-up the country and concede the Muslim demand of Pakistan.

Maulana Azad's observation's that Nehru had ended the last effort the Congress had made to keep India united were published many years after India won freedom. Many of the British officers in India and Englishmen, who were involved in the negotiations for the transfer of power in India those days however, wrote that the implementation of the Cabinet Mission Plan would have driven India straight to its Balkanisation.

Pakistan, after it was founded in 1947, inherited the legacy of the Jihad the Muslim League had carried on to divide India. It assumed an extra-territorial right to protect the interests of the Muslims left behind in India, which it has reiterated time and again during the last five decades of the Indian freedom. It stated claim to interfere in the princely states, which were either populated by Muslim majorities such as Jammu and Kashmir or ruled by Muslim princes, such as Junagarh and Hyderabad. The insistence of the Muslim League on the exclusion of the states from the partition was in fact, motivated by the interests of the League leadership to use the states to divide India further and to provide the ground for the continuation of the Jihad to expand the Muslim power of Pakistan eastwards into the Indian mainland.

The invasion of Jammu and Kashmir in 1947, and the incessant struggle for the right of the self-determination of the Muslim majority of the population of the state, Pakistan has spear-headed during last six decades is a part of the Jihad, that country has waged against India. The militarisation of pan-Islamic fundamentalism, what Pakistan has used as an instrument of its policy against India and the war of subversion and international terrorism, which it has unleashed in India, during the last two decades, is also a part of the Jihad that country has waged against India.



The remains of a car after bomb blast.

Problems and Prospects of Combating Terrorist Financing in India

By S.K. Saini

Sources of terrorist financing

There are three primary sources of financing for terrorist activities. The first method involves obtaining financial support from states or structures with large organizations to be able to collect and make funds available. The second method is self-funding. In some cases, terrorist groups have been funded from internal sources, including family and other non-criminal assets. Osama bin Laden initially gained prominence not as a fighter but as a financier of the mujahideen fighting to throw out the Soviet Army from Afghanistan. The third method of raising funds is to obtain them directly from various 'revenue-generating' activities, which can fall into three categories: criminal activities ranging from low level fraud to organized crime, donations, and legitimate businesses.

Donations to terrorist organizations are channelled through charities, trusts, and direct donations by individuals. Community solicitations and fund raising appeals are effective means of raising funds to support terrorism. It is not necessary that such individuals are rich to make huge contributions. All Muslims, for example, are expected to make regular charitable donations as part of their religious obligations called *zakat*. It is estimated that Al Qaida received US\$300-500 million in a decade through *zakat* and direct donations.

Generation of funds by running legitimate business interests is another source for terrorist financing. Al Qaida had a vast trade network in diamonds and precious stones in West Africa, with an investment of US\$50 million. When terrorist organizations obtain their financial support from legal sources (donations, sale of publications, etc.), detecting and tracing these funds becomes more difficult as in the case of charities and terrorist front organizations.

Methods of moving funds

There are three main methods by which terrorists move money or transfer value. The first is through the use of the financial system, the second involves the physical movement of money (e.g. through the use of cash couriers), and the third is through the international trade system in diamonds and golds. Terrorists use both the organized financial sector and alternative remittance systems like hawala to move money around the world. Often, terrorist organizations abuse alternative remittance systems, charities, or other captive entities to disguise the use of these three methods to transfer value.

While using the financial sector, transactions are limited to amounts that are small enough to be moved without triggering existing thresholds that require notification to law enforcement or regulatory authorities. Terrorists are also known to take advantage of the Islamic banking network due to lax regulatory oversight and the unclear guidelines for utilizing interest.

Difference between terrorist financing and money laundering

Money laundering is the process by which the proceeds of crime and the true ownership of those proceeds are concealed or made opaque so that they appear to come from a legitimate source. Money laundering is largely a legitimization-oriented process for dirty money, while terrorist financing does not emphasize legitimization. However, both money laundering and terrorist financing aim to erase money trails.

Terrorist funds are not always criminal in nature and can be obtained from legal sources. Funding from legal sources is a key difference between terrorist groups and traditional criminal organizations. Unlike criminals, terrorists' intent is not to generate profit from the fund-raising mechanisms, but to obtain resources to support terrorist activities. Criminals are often in possession of large amounts of money because the crime has already taken place. Terrorists, on the other hand, raise money in order to plan and carry out future crimes.

Conceptual framework to combat terrorist financing

Terrorist financing consists of two activities—money generation and its distribution to the terrorists. Accordingly, there can be two ways to suppress the financing of terrorism—one to combat the money-making activities and the other to tackle the distribution process. The first prong of the strategy for CFT is extremely challenging. It partially overlaps with the conventional policing role and tasks of the intelligence agencies, as terrorist money could be accumulated through different modes such as donations at grassroots level. Consequently, it is intensive in terms of manpower and resources. Due to limited resources, it may anomalously appear logical to target terrorist funds in their transfer and distribution stages only. After 9/11, Financial Action Task Force (FATF) experts concluded that terrorists generally use the same methods as criminal groups to launder funds in the distribution stage and that the international community could use the existing infrastructure already in place for Anti-Money Launder-

ing (AML). And for the sake of convenience, the international community did not develop a new infrastructure for CFT but utilized the already existing one that was established for AML.

Refining international response

Money laundering and terrorist financing: Need for different counter measures

Present efforts to fight terrorist financing by international organizations have used the base of AML work that began as part of the fight against narcotics traffickers in the 1980s. CFT was a neglected area before 9/11, being marginalized both within the AML regime as well as within the framework to combat terrorism as a whole. The strategy and framework for CFT is still evolving and has unfortunately got clubbed with AML. 9/11 further blurred the distinction between the two, wherein most international bodies dealing with money laundering merely added CFT to their charter in their exuberance for an early response. Consequently, terrorist financing is being viewed from the perspective of the international criminal law approach of money laundering, with emphasis on the financial sector regulatory mechanism. The money-making stage of terrorist financing is not being adequately targeted.

Moreover, it has been found that efforts within the financial industry to create profiles of terrorist cells and terrorist fundraisers have proved unsuccessful, and the ability of financial institutions to detect terrorist financing remains limited. Financial institutions are, however, in a position to detect suspicious transactions that, if reported, may later prove to be related to terrorist financing. Therefore, for CFT the role of intelligence and law enforcement agencies in co-ordination with financial/monetary regulatory regimes needs emphasis.

Identifying risks of emerging technologies

Terrorists exploit Information Technology (IT) to maximize the effectiveness of their operations. They use cellular/satellite phones, internet, e-mail, and chat rooms. International financial movements are facilitated by IT. E-commerce and the provision of internet financial services add a further dimension of risk and open up additional mechanisms for fraud, money laundering and tax evasion. E-money and internet banking reduce face-to-face contact and reduce the ability of financial institutions to verify the identity of the customer/coupled with a possible lack of investigative or regulatory jurisdiction. The international community needs to pay special attention to terrorist fi-

ancing that may arise from new or developing technologies that favour anonymity.

Appraisal of terrorist financing and counter measures in India

Methods of terrorist financing in India

Insurgent and terrorist groups in India adopt several methods to finance their operations. The main sources of funding are:

- Clandestine contributions from the ISI, including funds generated through narcotics. A tentative estimate of funds made available annually to terrorist organizations like Lashkar-e-Taiba, Hizbul Mujahideen, and Al-Badr is in the range of few million dollars.

- Contributions from religious, fundamentalist, and pan-Islamic terrorist organization in Pakistan. Various terrorist outfits openly raise funds before Id prayers. As much as Rs 100 million was reportedly collected in Karachi itself at one time.

- Contributions from ostensibly charitable organizations in Pakistan and Saudi Arabia.

- Contributions from transnational criminal groups, such as the mafia group led by Dawood Ibrahim.

- Extortions and ransom payments for releasing hostages.

- Collections—voluntary or forced—from people living in the area where terrorists operate and diversion of government funds through contracts.

- Narcotics smuggling.
- Contributions by Indian Diaspora.

- Fake Indian Currency Notes (FICN).

- Stock market operations— isolated instances of terrorist outfits manipulating the stock markets to raise funds for their operations have been reported.

It has been found that movement and distribution of terrorist funds in India is mostly conducted through informal channels such as hawala, couriers and smuggling of FICN. Presently, terrorists do not rely much on the formal banking sector to generate or move their funds, though a close watch needs to be maintained. The Pakistan High Commission in New Delhi has also been known to act as a conduit of funds to terrorist groups in Kashmir.

The Indian legal approach to terrorist financing

Laws scattered over a number of parliamentary acts deal with various aspects of terrorist financing. The major legislations dealing with CFT in India include:

- The Unlawful Activities (Prevention) Act, 1967 as amended, proscribes terrorist outfits, and membership of such organizations is deemed to be a

terrorist offence. A person also commits an offence if he invites support for a terrorist organization or contributes to them. Terrorist acts also include acts of fundraising by persons/ organizations if such funds are intended for the purposes of terrorism. It also contains provisions for seizing properties, assets, and proceeds of terrorism.

- The Prevention of Money Laundering Act (PMLA) 2003 has made the act of money laundering a criminal offence. It imposes obligations on banking companies, financial institutions, and intermediaries to maintain proper records of all transactions, the nature and value of which may be prescribed and to furnish information of such transactions. Casinos, international credit card payment gateways such as VISA and Master Card, full fledged money changers and money transfer service providers are likely to be brought under the PMLA with a proposed amendment.

- Foreign Exchange Management Act (FEMA), 1999.

- Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.

- Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976.

- Narcotics Drugs and Psychotropic Substances Act, 1985 as amended, has provisions to make the entire process of money laundering as punishable offence.

- The receipt of funds by associations and charities from external sources is governed by the Foreign Contribution (Regulation) Act (FCRA), 1976 and its rules.

Comparison with US legislation

In contrast, the United States has comprehensive laws on terrorism, including CFT. Though the USA PATRIOT Act is a domestic law many of its provisions are extra-territorial in application and affect any institution which has dealings in the United States or with the US-based banks. Title III of this act is devoted to CFT and has facilitated prosecution for funding terrorist activities, which was difficult under the pre-USAPATRIOT Act money laundering laws. A comparison of the USAPATRIOT Act and India's main legal instruments for CFT, Unlawful Activities (Prevention) Act, and the PMLA, shows that Indian laws lack the following provisions.

- Secretary Treasury is authorized to order domestic financial institutions to undertake special measures if specific regions, financial institutions or transactions outside the United States

(Contd. on Page 7)

Problems and Prospects of Combating Terrorist Financing in India

(From Page 6)

are of money laundering concern.

- Statutory requirement of cooperation and information sharing between financial institutions, regulatory bodies, and law enforcement agencies.

- Sharing of intelligence with prosecuting agencies to secure prosecution in terrorist financing cases.

- Financial institutions and brokers prohibited from maintaining correspondent accounts for foreign 'shell banks'—banks that have no supposed presence in their home countries.

- Jurisdiction over foreign persons and financial institutions for prosecutions.

- Forfeiture of property traceable to proceeds from offences against foreign nations. In the Indian case, it is only applicable to countries with which a bilateral extradition treaty or reciprocal arrangements have been concluded.

- Forfeiture of accounts held in a foreign bank if that bank has an interbank account in the United States.

- Use of special investigative techniques like electronic or other forms of surveillance and undercover operations.

- Payment of monetary rewards to combat terrorism.

Need for comprehensive legal response

Lack of political will to deal effectively with terrorism is reflected in India's multiple and stand-alone CT legislations. A UN report on India's anti-terrorism preparedness has stated that the country's laws on terrorist financing do not fully comply with the UN Resolution 1373. The report notes that 'many of the problems faced by India's current CT regime could be tackled if India were to adopt comprehensive CT legislation'. It also alludes to major gaps between the work of the prosecution agencies at the union and state levels. While it is true that enacting legislation is not enough, a comprehensive law to combat terrorism, with explicit provisions to counter terrorist financing will be indicative of the declared intent of the nation to effectively deal with the menace of terrorism.

CFT mechanism

For the first time in independent India's history, a comprehensive review of the national security system was undertaken by a group of ministers after the Kargil War. This report broadly covered four major areas of national security, i.e. intelligence, internal security, border management, and management of defence. Accepting that a large amount of fake currency was being smuggled into the country, it noted that co-operation and collusion between organized crime and terrorist elements

had also grown. However, there were no specific recommendations for CFT in the country.

While the MHA is responsible for implementing the Unlawful Activities (Prevention) Act under which terrorist financing is an offence, economic offences are dealt with by the Finance Ministry. The Central Bureau of Investigation (CBI) also has responsibilities for economic offences, terrorism, and FICN.

Indian stance on informal money transfer

India is the world's top receiver of remittances. Flows into the country have grown dramatically in recent years, touching US\$17.4 billion in 2003, up from some US\$2 billion a year in the late 1980s. Although measures to curb money laundering and terrorist financing have brought more transfers into the official fold, actual amounts remain much larger than officially recorded figures as informal remittance systems such as hawala elude data collection.

Hawala transactions are not permitted in India under the FEMA and are illegal. India has consistently taken the stand against registration and regulation of hawala transactions, stating that these are clandestine in nature and can only be curbed and not regulated. While the solution for eliminating hawala is to expand regular money transfer services, making them more customer-friendly, cheap, and accessible, it amounts to seeking a perfect solution that is unlikely to be realized. Therefore, India needs to amend its laws and make hawala a legal business with the aim of regulating it. While this may not cease underground money transfers altogether, the volumes are likely to reduce.

Regulation of overseas donations to non-profit organizations

Over a period of seven years, between 1991-1992 and 1997-1998, India received about Rs 14,400 crores as foreign contributions but the government is unable to authenticate its use for genuine causes. For overseas donations to charities, the MHA is responsible to grant permission under the FCRA. While the role of some NGOs/charities is laudable, the UN report mentioned earlier points out that there are no comprehensive strategies in place to prevent terrorist organizations from posing as legitimate charities or to prevent the diversion of funds to support terrorist activities.

Perspective on FICN

Counterfeiting of currency is a preferred method being adopted by Pakistan to fund terrorist activities in India. FICN is printed in Pakistan and smuggled into the country through the land borders and coastal route. Large amounts of high quality counterfeit Indian cur-

rency are detected each year, the normal route being via Nepal and Bangladesh. Recently, FICN has also been recovered in Malaysia, indicating the existence of a transnational network in the region. CBI is the nodal agency for tackling cases of FICN.

Integrated national response to deny financial means to terrorists

Contours of strategy for CFT
While constitutional and legal modifications need time to evolve a consensus, in the interim there is a need to evolve a multi-pronged and integrated strategy for CFT in India. Terrorist financing being a global problem, a counter strategy has to be based on international, regional, and domestic measures. Therefore, diplomatic and legal measures need to be coordinated with actions of intelligence and domestic law enforcement agencies.

Aim of CFT strategy

Two spin-offs of CFT—preventing terrorists from raising money, and using financial clues to find terrorist modules planning attacks—are not mutually exclusive and ought to be pursued simultaneously. While choking terrorist funds should remain the desirable goal, following the money trail to identify terrorist operatives and sympathizers provides a useful means in the fight against terrorist groups. This will be particularly helpful in busting the large number of terrorist cells that have been established at the behest of the ISI across India.

India-specific counter-measures

It needs to be recognized that there cannot be a universally applicable template to fight terrorist financing, and therefore India needs to evolve its own model based on the peculiar and unique regional and domestic conditions that are prevalent. As discussed earlier, terrorist funds in India do not get routed through the formal financial sector in a significant manner. Existing structures and procedures in place, including the Financial Intelligence Unit (FIU), are essentially focused on large scale financial fraud and cannot detect money being channelled to terrorists. It is difficult for the agencies dealing with economic offences to distil terrorist financing cases from the reports they receive. FIU received 21,40,768 cash transaction reports and 817 suspicious transaction reports in 2006-2007 and disseminated 398 cases to intelligence and law enforcement agencies, though its effect on CFT has been negligible. Therefore, intelligence and law enforcement agencies need to take the lead in the fight against terrorist financing in India.

Lead role for intelligence and

law enforcement agencies

Terrorist financing-related information at present is not a priority for the central or state intelligence agencies and the police at the grassroots level. As a result, intelligence reporting on the issue lacks overall coordinated direction and is incident driven. Moreover, responsibility for the problem is diffused amongst a plethora of agencies, each working in watertight compartments, resulting in lack of accountability.

Law enforcement and intelligence agencies need to assign additional resources for gathering critical information related to terrorist financing, conduct proactive investigations, and follow leads provided by financial oversight agencies. Intelligence gathering~ capability and efforts need to be enhanced in countries through which FICN is smuggled into India. The Research & Analysis Wing (R&AW) and IB need to create long-term institutionalized expertise in terrorist financing. These agencies need to have committed individuals earmarked to track terrorist financing. CFT should not be given as an additional task for those dealing with CT in general. Such separate cells focusing on terrorist financing also need to be replicated at the state level in the special branch of the police dealing with intelligence gathering. There is also a vital need to enhance the effort against terrorist financing at the level of the district superintendent of police, sub divisional police officers and neighbourhood police stations, which have the relevant information at the functional level. The capability deficit in CFT at the state level needs to be overcome at the earliest. Moreover, persons dealing with CFT in various agencies need to be trained and provided job continuity to enhance their capacity.

Integration of terrorist financing with CT measures

The fight against terrorist financing requires a joint effort between various ministries and allied agencies and concurrently it has to be closely integrated with the overall CT campaign of the country. This can be achieved by defining and strengthening institutional linkages between the CT and CFT mechanisms and economic intelligence organs and other intelligence agencies like the IB for an effective response. A decentralized model, with an apex policy-making and coordination body focusing on trends is likely to work better for India. Counter measures need to be more effective at the grassroots level due to the peculiar nature of financing of terrorists in India. While there is no requirement of creating a separate organization for terrorist financing, an intergov-

ernmental panel should ensure increased coordination between intelligence, law enforcement, and financial regulatory agencies to identify, disrupt, and dismantle terrorist financing networks. This panel should be led by the MHA which is the nodal agency for CT in the country and include representatives of other ministries like external affairs, finance, law as well as from the National Security Council Secretariat (NSCS), intelligence agencies, army, and states. Within the Department of Internal Security in the MHA, a counter terrorist financing section staffed from relevant agencies should be constituted to monitor CFT. It is important to clearly define its mandate and scope of responsibility vis-a-vis the NSCS. The NSCS should avoid assuming an operational role in CT initiatives, which only serves as a distraction from its assigned role and results in diluting the responsibility and accountability of the MHA and the states. Implementation of CFT policy and coordination at the operational level should be left to the states.

Conclusion

To combat terrorism effectively, strong domestic measures need to be complemented by strengthened international and regional cooperation to ensure that the fight against terrorism is not restricted only to the perpetrators but also encompasses the countries who sponsor them. Attacking terrorist financing is one of the means to destroy terrorist organizations and to prevent terrorist acts. When funds available to terrorists are constrained, their overall capabilities decline, limiting their reach and effect. Choking of terrorist funds needs to be given the importance that it merits and be integrated into the larger CT effort of the country.

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Pakistan should swear, Mumbai won't be repeated



By J N Raina

INDIA'S persistent "coercive diplomacy" with Pakistan, for its 'involvement' in orchestrating Mumbai terror attacks, has ultimately paid dividends and started working. 'Sanity' has prevailed upon Pakistan—or should we say it has been imposed—which has belatedly acknowledged that India's 26/11 dossier contained 'leads and good clues'. It has admitted Pakistani elements' complicity in the Mumbai carnage.

Obviously, Pakistan was in a catch-22 situation. Its repetitive and ominous pack of lies had no legs to stand upon. As a result of tremendous pressure brought upon it by India and the U S (the US pressure was more visible) Pakistan's bullying tactics failed to withstand. India presented its enormous volume of facts, and assiduously explained to the international community that the perpetrators of Mumbai holocaust were inbred in Pakistan, where Islamic terrorism is growing fast and that suicide bombers were vulnerable and equivalent to the weapons of mass destruction. Ergo, it is imperative for the civilized society not to allow the 'proliferation' of

such 'weapons' (Islamic bombers) as a guarantee for world peace and harmony.

Forget about atomic weapons in possession of Pakistan. They will have no chance to 'utilize' bombs against India. The suicide jihadi bombers are enough to bring destruction and inflict a thousand cuts on India and elsewhere in the world. Because Pakistan has been using terrorism as a potential weapon of State policy. Any doubt?

The impact of unrelenting international pressure was such that overnight there was a perceptible change in Pakistan's attitude. It was unbelievable a day earlier. Hitherto, Pakistani officials had scoffed at the Indian evidence, linking Mumbai attack to 'elements' inside Pakistan. So far Pakistan had maintained that the evidence was 'nothing new' but just 'information' that was already available with the media.

The officials had just laughed at the dossier. Even former Premier Nawaz Sharif chewed up his words and contradicted his own statement about Kasab (Pakistani terrorist in the hands of Mumbai police) that he is a Pakistani national. This clearly shows the Army's grip over the beleaguered civilian government and its political system. Pakistani leadership, which had been in the denial mood, on-again, off-again, ultimately buckled under pressure to announce that the dossier contained 'leads and good clues'. Promising fair investigation, Pakistan's Interior Ministry Chief Rehman Malik announced that India had provide 'quite a lot of material', and his country will work to convert that into an 'evidence that can stand up to judicial scrutiny'. What a contrast to his earlier goof off. In

fact, there was no need for Pakistan to seek evidence from India, because they are themselves the victims of terrorism. It is ok for the U S to 'beat' them. India does not have the same 'privilege'. Rather Pakistan should have sought international cooperation to wipe out terrorism from its soil. Are they waiting for the doomsday when the LeT et al will force Pakistan to plunge into stone-age? Jamaat-ud-Dawa (JuD), the political wing of Lashkar-e-Toiba (LeT) is totally against Pakistan's modernization.

U S faith in Pakistan has got eroded. The 26/11 gruesome event has changed world opinion in India's favour. The civilized nations are aghast at the ever-growing Talibanisation of Pakistan. The Taliban have turned Pakistan into a rogue State. Any doubt? Pakistan today is the epicenter of terrorism.

DOSSIER

Any doubt? Pakistan is doomed to be a failure State. Any doubt? There is no end to such epithets.

Now Pakistan has taken follow up action and certain steps, intentionally or unintentionally, on the dossier. Some activists of JuD have been arrested, who were functioning at various levels. They include 'top level' handlers like Zaki-ur-Rehman Lakhvi. Pakistan has also constituted a committee to probe the Mumbai attack. Five JuD training camps have been reportedly closed down. Certain websites conveying the message of global jihad, have been 'banned'. Whether the exercise is just a 'whitewash', as India believes, only time will tell. It is certain Pakistan army, ISI and the dreaded terrorist organisations will never allow civilian

administration to act independently.

Several countries like France, followed suit in expressing solidarity with India. They have admitted India's dossier was 'perfectly credible'. Be as it may, Britain has never forsaken its old habit of blowing hot and cold, particularly when it comes to Kashmir. While the entire world community is focused on international terrorism emanating from Pakistan, British Foreign Secretary David Miliband has raised the bogey of Kashmir, linking its 'resolution' with the eradication of terrorism. His contention that "Kashmir will have to be resolved for terrorism from Pakistan to stop" is mischievous. In a recent diatribe Miliband has said that the "resolution of the Kashmir dispute would help deny extremists one of their main calls to arms and allow Pakistan authorities to focus more effectively on tackling the threat on their western borders." It is preposterous. He should first understand that Kashmir is an integral part of India. If anything is to be settled, it is about Pakistan-occupied-Kashmir. India should never allow such misfeasance. Such inferences are biased in nature and can be dismissed. The hydra-headed LeT blamed for Mumbai attacks has made its intention clear once for all that it had nothing to do with Kashmir. LeT chief Hafiz Saeed has said that their aim was to 'recover lost Muslim land' in Asia and Europe. LeT is deadest against India, Washington and Israel, and against anything considered un-Islamic. It is against the Pakistani establishment, although it is not even a secular State, for its playing footsie with the U S. Saeed has been quoted as saying that Kashmir is

merely "a gateway to capture India en route to LeT's other targets". What remains? LeT wants to hoist flag of Islam in Washington, Tel Aviv and New Delhi. It is just a wishful thinking. But in the process of such delirium, they will kill millions of people worldwide. Miliband should understand that London is not far away from LeT's loop.

On the contrary, we have a sagacious statement from the U S Secretary of State-designate Hilary Clinton that Pakistan is a 'complex issue'. She has indicated that aid to Pakistan would be linked to its commitment to fight terrorism on its soil. There is going to be a tilt in the U S-Pakistan relations, because the Americans are more worried about LeT gaining ground in Pakistan and the subsequent fear that atomic weapons might fall in terrorists' hands. There can be no global peace unless the civilian government is completely de-linked from the army and ISI, and democracy is allowed to survive. Pakistan has to give guarantees and commitment that terror mills are completely wiped out in Pakistan, before it is too late. War clouds are still hovering over the subcontinent. Will they turn into clouds of glory? Let us see.

Prime Minister Manmohan Singh has contended that States that use terrorism as an instrument of foreign policy, must be isolated and compelled to abandon such tactics. Union Home Minister P Chidambaram has well said that Pakistan will have to give 'cast iron guarantees' that such an incident like Mumbai will never be repeated. Otherwise, Pakistan will have to pay a heavy price.

**(The author is a veteran journalist based at Pune)*

Bad Money Creates Parasitic Culture in Kashmir

(From Page 1)

currency with the value of Rs 46 lakhs and arrested four persons including two Bangladeshi conduits.

The injection of fake currency into Indian economy has started receiving some attention now. In August 2008 Uttar Pradesh police uncovered over Rs 4 crore worth of Fake currency Notes from two state Bank of India Branches in Domariagunj. It was the largest seizure of high value currency notes and this forced a joint meeting of Intelligence Bureau, Directorate, of Revenue intelligence, the Ministry of Finance, the Central Bureau of Investigators, and Central Economic Intelligence Bureau in September 2008.

The meeting as per reports concluded that, "the problem had long slipped out of criminal activity and entered the realm of national security." As per estimates of Indian Intelligence leaks which have appeared in press from time to time in 2008, 50,000 crore fake currency notes were being pumped into Indian economy per month.

However the role of illegal economy including Fake currency is yet to attain the importance it deserves in the case of Jammu and Kashmir. This is despite the fact that regular seizures of Narcotics, Hawala Money and Fake Currency note have taken place in Jammu and Kash-

mir from time to time.

Army officials in J&K are on record of having said, "Earlier fake currency was handed out to allow terrorists to sustain themselves when they entered the valley. However in the past two years it has taken on a larger objective of hurting India's economy." Experts now admit that in Jammu and Kashmir, a mix of fake currency with genuine money is used by terror organisation to pay their cadres and enlist clandestine logistic support from locals. It may be still an understatement. How fake currency and other illegal and crime economy is impacting the social milieu and effecting the legitimate productivity of the people is yet to be recognised as a crucial concern.

Prof. Dipanker Sen Gupta of Jammu University comments on government policy and terrorist economy to highlight the paradox of low productivity and high consumption in the state. "The state's response to an economy damaged by militancy developed along predicted lines. As in North East India, the Central Government came in with packages aimed at reviving economy through grants intended to restore infrastructure as well as other parts of economy. The effect of all this was to create an economy whose State Domestic Product (SDP) defied common logic. The ultimate

twist to this bizarre economic history was the revelation by National Sample Survey Organisation that Jammu and Kashmir ranked highest of all states when it came to per household asset ownership in the country with Rs 10.87 lakhs per household." In an economy ravaged by violence of worst kind how is it possible?

The meat consumption in Kash-

CONTINUATION

mir is three times more than national average. The state has the capacity to meet hardly 30 percent of the demand of the meat for local consumption while it has to import nearly 70 percent from Rajasthan and Gujrat where consumption is said to be 3 times less than J&K. The state on an average is consuming meat more than Rs 600 crores. An interestingly feature of the economic paradox came to fore in 2006 when the state accepted that despite referring 12,200 posts to Public Service Commission (PSC) and subordinate services Recruitment Board (SSRB) for advertisement and filling up thousands of posts were lying vacant in different state government departments which include over 7600 gazetted cadre posts. How is it possible when all the respective governments have harped on unemployment as the main cause driving youth to militancy? The issue never

received any public attention pointing subtly towards public involvement in such economic enterprises which are more lucrative than government jobs.

The percentage of population below poverty line in Jammu and Kashmir is 5.4% while the national average is 27.50%. While the general public seems to be moving towards affluence in the state as depicted by the percentage of people below poverty line or statistics about health care in the state, the economic productivity in the state is going down. The contribution of Jammu and Kashmir to National Gross Domestic Product has decreased from 0.87 percent in 1999-2000 to 0.78 percent in 2005-06. The apparent affluence in the state and the unproductive economic status cannot be understood if interplay of illegal economy in the state is not factored into the policy making.

Conclusion:

Illegal Economy destroys entrepreneurship of society and creates a parasitic cultures. The symptoms of such a state can be seen manifestly in Jammu and Kashmir. Uttar Pradesh Police for instance recognises that the fake currency circulation is as high as 30 percent of the total currency notes circulation. The situation is being described as a national security threat. In J&K despite the manifest role of Narcotics,

Hawala money and fake currency in the sustaining violence and instability no definitive estimates of illegal economy are available. Experts say for example about fake currency that, "the absence of an established quantity of fake currency in circulation has led to regime of denial which has in turn prevented regulation".

With the opening of LoC for trade one question which comes to the fore is that if the economic logic of such a trade does not suit separatists and Pakistan why do they whole hog support it? Mirwaiz Omar Farooq gave a baffling statement about opening of cross LoC trade. "It is the first step towards Kashmir's economic independence". JKLF leader Yasin Malik said, 'Freedom is closer', after the opening of LoC trade. The issue cannot be addressed unless there has to be a clear understanding about the importance which the pan-Islamist economic mafia attaches to the increased porosity of LoC in J&K in relation to drug grade, Hawala transfers and injection of counterfeit money. The interest shown by Dubai based Kashmir Muslim traders in cross LoC trade has to be thoroughly analysed. The implications of direct flight to Dubai as a starting point of international air traffic to Kashmir in the light of entrenchment of illegal economy in Kashmir needs to be looked from a wider perspective of economic subversion of India.

MASSIVE DEMONSTRATION AT JANTAR MANTAR NEW DELHI

KS Correspondent

NEW DELHI, Jan 19: Kashmiri Pandits held a massive demonstration at Jantar Mantar New Delhi to observe the 19th Holocaust Day. The programme was jointly organised by Panun Kashmir and Kashmir Samiti Delhi. The demonstration was followed by a peaceful march.

A memorandum was submitted to Hon'ble Home Minister of India through Minister of state for Home Affairs Sh. Sri Prakash Jaiswal and through Sh S.K. Skandan Jt. Sec. Kashmir Affairs, MoH. Speaking on the occasion Dr. Ajay Chrungoo Chairman Panun Kashmir lamented on the importance of observing the Holocaust Day and called it as the day of "Samriti". He emphasised the need to remember the same and said that memory leads to Sanskars, it protects the identity and civilisation. This culture of remembrance and struggle demonstrated by exiled Kashmiri Pandit community virtually forced the attention of the global community towards the menace of Jehadi terrorism. Our constant hammering of forced displacement, from Kashmir Valley has brought us to central focus of attention of the authorities and the results are there for all of us to see. Dr Ajay added.

Supporting the Homeland demand, **Kashmir Samiti** Delhi President, **Dr LN Dhar** said that there is consensus among the community on the demand. He added that 98 percent community is convinced that creation of homeland is the only means to their return and political empowerment and 2 percent of the community members who try to create confusion are those who are guided by vested interest.

All State Kashmiri Pandit Conference General Secretary and Spokesperson Delhi Unit, **Sh. Kundan Kashmiri** said that

there should be no confusion on the "Homeland" and "Kashyap State" demands as there is no difference. He added that, in fact, ASKPC has tried to give the name to the land as demanded by Panun Kashmir.

Dr. Shakti Bhan, Vice Chairperson of Panun Kashmir, said that the demand of 'Homeland' needs the population mass as well. Decrying the negative population growth she implored upon the community to have at least two children. She exhorted parents to persuade their children about the same with logic.

Sh. M.K. Kaw: President AIKS while speaking on the occasion said that the recent Bombay blasts is the watershed in the history of India and it is going to change the scenario in the days to come.

Rakesh Kaul: General Secretary Kashmiri Samiti Delhi, said that time has come to work for the consolidation of Homeland demand and appealed the youth to come forward in propagating and consolidating Homeland demand by using the modern technological methods.

The proceeding of the deliberated was conducted by Sh. Kuldeep Raina General Secretary Panun Kashmir.

The deliberations were followed by a peaceful march towards North block. The marchers were stopped by the Delhi police by erecting the barricades on the road. A delegation of four members led by Dr. Ajay Chrungoo met Jt. Secy. Kashmir

Affairs. The delegation submitted a copy of the memorandum. During their deliberation with Jt. Secy. the delegations emphasised the delinking of employment package with the return of the community to Kashmir Valley. The other members of the delegation were Sh. Avinash Tickoo Vice President Kashmiri Samiti, Sh. Rakesh Kaul General Secretary Kashmir Samiti and Vijay Tickoo Vice Chairman Panun Kashmir.

Later in the evening a six member delegation led by Dr. Ajay Chrungoo called on MoS for Home Affairs Sh. Sri Prakash Jaiswal to submit the memorandum to Home Minister and discussed various issues related with the displaced community. The meeting lasted three quarters of an hour in cordial atmosphere. The delegation emphatically justified the Homeland demand and said that when Indian state is ready to discuss all alternatives there should be no taboo on the Panun Kashmir demand that is a nationalist solution. He was told that the creation of Panun Kashmir will strengthen GoI, encourage let down-Kashmiri Hindus and provide a space to the nationalistic forces in the Valley.

Referring to the linking of Employment Package with return of the community to Valley the delegation emphasised that the return policy of the government about displaced community has not to be linked with employment package. Our return to Valley is a political issue and has serious human rights and international dimensions. We have repeatedly requested the government not to trivialise this serious issue and whenever government in the past has talked about return of the community it has led to massacres. We want to return in a situation where we have not to leave again.

We welcome the employment package of Prime Minister for unemployed youth but urge you to delink this package from return. Employ the youth in Jammu till the situation becomes conducive for return.

Mr. Jaiswal assured the delegation of his full cooperation and sympathetic consideration.

The other members of the delegation were Sh. Vijay Tickoo, Sh. Avinash Tickoo, Sh. Rakesh Kaul, Sh. Kanwal Wangnoo, and Sh Kuldeep Raina.

(See full text of memorandum on page 11)

DELINK EMPLOYMENT WITH THE RETURN

Photos by Raj Raina



Dr. Shakti Bhan, Dr. Ajay Chrungoo & Dr L.N. Dhar at the demonstration venue.



Litling candles at Sansad Marg as a tribute to martyrs.

Panun Kashmir organises Community Meet

KS Correspondent

JAMMU, Jan 18: Panun Kashmir organised a community meet here at Invitation Banquet Hall to observe the 19th Holocaust Day. The meeting observed silence in the beginning and paid tributes to



Sh. B.L. Koul conducting the meet at Jammu.

Sh. Radha Krishan Sher, who passed away recently at Jammu. While recalling his contribution the speakers praised Sh Pt. Radha Krishan Sher who throughout his life till the very end remained a highly disciplinarian and a nationalist to the core. His fight against official/administrative apathy was the result of his high moral values which he exercised throughout his life. The whole community pays tribute this great departed Kashmiri Pandit.

Recalling 19th Jan 1990, Dr. Ajay Chrungoo said that, "It was on this day when terrorist entrepreneurs under the aegis of JKLF and

(Contd. on Page 10)



Kashmiri Pandits marching towards north block in N.Delhi

Panun Kashmir organises Community Meet

(Contd. from Page 9)

other allied outfits declared war against minority Kashmiri Pandit community through hate campaigns, threats, selective killings, bomb attacks etc. This paved way for religious cleansing of Kashmiri Hindus, the aborigines of Kashmir, "No Kashmiri Pandit who has lived those days in Kashmir and retains some sensitivity can ever come those nightmarish experiences", said Dr. Ajay Chrungoo. He further said that, this is why on this day Kashmiri Hindus hold protests, take out rallies and make resolve to keep reminding the world that this community will never accept its cleansing as a fait accompli. Kashmiri Pandits have been great survivors and have survived seven exoduses in the past 650 years, they retain the will to survive in future also, Dr. Chrungoo declared.

Sh. O.N. Trisal praised Panun Kashmir leadership for carrying on the struggle with vision and determination. He recalled the great moments in December 1991 when Kashmiri Pandits under the aegis of Panun Kashmir at a place in Jammu named after the great Saivite Acharya Abhinavagupta and passed a resolution demanding "Homeland". "We have been thrown out seven times and no exodus any more was our resolve, we gave slogan of Homeland for our rehabilitation," Sh. Trisal lamented. Displaying strong optimism Mr. Trisal said, "We have dreams and dreams will come to fruition, when winter comes can spring be far behind".

While welcoming the Govt. of India in seeking global cooperation in the war against terrorism. Sh. Kuldeep Raina said that, "The Mumbai terrorist violence has galvanised the national opinion and crystalised national consensus more than any act of violence in recent times, the religious cleansing of Kashmiri Hindus from Kashmir did not outrage the nation even though in the intensity and by implication it continues to be the more gruesome attack on the "Idea of India". Sh. Raina said, "Pandits may be lacking in population mass but retained great symbolic significance. Every single act of defiance by them would become a force multiplier".

Prof. M.L. Kaul called upon the community members to prepare themselves for the demonstrative phase of Panun Kashmir Moment.

The meet concluded with a resolve to fight the internal and well as external enemy, to raise their banner of struggle against all kinds of terror and to awaken a world opinion for reversing the genocide of Hindus in Kashmir as a cardinal principal of fight against terrorism.

Sh. B.L. Kaul Secretary Panun Kashmir conducted the proceedings of the meet effectively. Mr Kaul underlined the need to observe the Holocaust Day for the sustenance of community struggle. He lamented that the community since its forced exile, has moved far a head in every aspect of life and has virtually become a role model for other communities who are in distress.

Memorandum Submitted to Hon'ble Union Home Minister Dated 19th January 2009 at New Delhi

To,
Mr. P. Chidambaram
Hon'ble Minister for Home affairs,
Government of India.
New Delhi.

Sir,

Today the community of Hindus of Kashmir, the Kashmiri Pandits is completing the nineteenth year in exile due to Islamic terrorism in the Jammu & Kashmir inducted by Pakistan and aided and abetted by global pan-Islamist movement, which dreams of creating a new Islamic Caliphate. We do need to emphasize, as we have repeatedly brought it to the notice of the Government of India, that, during the forced exile of the community, the Government of India and the Government of Jammu and Kashmir have made no efforts to:

- i) Reverse the genocide, the community of the Hindus was subjected to in Kashmir.
- ii) Redress the wrongs done to the community by the wide spread and grave violations of the fundamental and human rights, guaranteed by the Constitution of India.
- iii) Take measures to retrieve the community from the present state of devastation, distress, economic deprivation and social disorganisation brought to it by its uprootment from its homeland.
- iv) Measures to protect their properties, temples and institutions in Kashmir plundered, burnt, destroyed, fraudulently usurped or grabbed through distress sales and bringing to an end the marginalization of the Kashmiri Hindus by the State Government & Administration
- v) Address the question of the social, political and economic aspirations of the community, which must be considered as an indispensable component of any future settlement on Kashmir.

Hon'ble Sir, what we need to emphasize here is that the community of the Kashmiri Pandits, has survived by its own fortitude. The Hindu Community of Kashmir finds itself under an obligation, devolving upon it as apart of Indian nation, and out of the historical continuity of its commitment to the national unity, to affirm that:

- i) The Kashmiri Hindu community will not accept any settlement which is reached with the Muslim separatists forces represented by Jehadi groups, Hurriyat Conference or other militant regimes, which underlines a separate disposition, outside the constitutional organization of India and the conversion of the State into a Muslim state under the cover of autonomy, self rule, Azadi short of Independence, Muslim identity and the Muslim majority character of the State;
- ii) Hindus of Kashmir will not accept any political settlement, reached with the Muslims of Kashmir which is not reached in consultation with them and does not have their approval,
- iii) Any settlement reached with the State of Pakistan, in disregard of the aspirations and rightful freedom of the Hindus of Kashmir will not be acceptable to them and will attract their strong disapproval;

Hon'ble Sir, the community of the Hindus of Kashmir, has watched with consternation the way the Central Government has bowed to the pressures and opened negotiations with Pakistan for the settlement of Kashmir dispute with separatist forces in the State, acting as facilitators. Pakistan is determined to grab as much of the State as it is able to and is at present hammering on its demand to the Muslim majority regions of the State, which include the province of Kashmir along with the Muslim majority regions of the Jammu province situated to the west of the river Chenab. Pakistan seeks to squeeze out the Hindus of the State and confine them to the two and half district of Jammu, Kathua, and Udhampur, situated east of the river Chenab. The Hindus will not accept any second partition of India, which is aimed to uproot them from the major part of the State.

Hon'ble Sir, we want to impress upon you, that Kashmiri Pandits, the Hindus of Jammu and the Buddhists of Ladakh, have a perspective of Kashmir problem. They have a view point on Indian unity, equality and right to protection against discrimination on the grounds of religion, and right of freedom of faith as guaranteed under the Indian Constitution. They have been equal partners with the people of the other parts of the country in the struggle for Indian freedom. Therefore, they do not visualize freedom in the context of the Muslim majority character of the population of the State, on which Pakistan has based its claim of the State. They do not approve of any structure of negotiations, which underlines the recognition of the Muslim majority character of the population as the basis of any negotiations with Pakistan. The Indian Government has repeatedly made it clear, that India does not accept or subscribe to the Two-Nation Theory and reiterated its stand, time and again, that the accession of the State to India negates the Two Nation Theory. Any solution and any settlement of the Kashmir dispute with Pakistan, on the basis of Muslim majority character of the population of the State, conflicts with the Indian stand and has a dangerous portent for all the minorities in India.

The Hindus of Kashmir entertain no doubt about the fact that their safety and security, their faith and their future can be safe only within the constitutional organization of India. The political aspirations of Hindus and other minorities of the State are as sacrosanct as the aspirations of the Muslims there.

Pakistan, in collusion with the Muslim separatist forces in Jammu and Kashmir and the Muslim fundamentalist forces in the rest of the country, is waging a Jihad against India for the last two decades. The sustained terrorist violence perpetrated in India, including the latest terrorist strike in Mumbai is a continuation of the Jihadi war initiated in Jammu and Kashmir in 1990. The Jihad is aimed to separate Jammu and Kashmir State from India to open the way for eastward expansion of the Muslim power of Pakistan.

Kashmiri Samiti, Delhi, and Panun Kashmir have the firm view that the Indian vision, of its sovereignty and integrity in Jammu and Kashmir, can be strengthened by politically recognizing the State to satisfy the aspirations of Hindus in the Jammu province, Buddhists of Ladakh and the aspirations of the Hindus of Kashmir for constituting a homeland for them in the Kashmir Valley: in the regions situated to the East and North of river Vitasta (Jhelum), in a Centrally Administered Union Territory governed by the Constitution of India. Kashmiri Hindus shall return only to this dispensation. In the environment of present intolerance, creation of this pocket of tolerance is a national necessity.

Hon'ble Sir, we fervently appeal to you to end the deprivation and suffering the Hindus of Kashmir have borne for the last two decades and to take steps to satisfy the aspirations of the Hindus of Kashmir to a centrally Administered Union Territory, so that they are able to return to their homeland in a spirit of freedom.

We also appeal to you, that in the interim period, till they return to their homes, steps are taken to relieve their deprivations and suffering, to provide for their employment from which they are completely excluded at present and to ensure them their due participation in the government and politics of the State.

Thanking You

For & on the behalf of Panun Kashmir
For & on the behalf of Kashmir Samiti, Delhi

Dr. Ajay Chrungoo
Chairman

Dr L.N. Dhar
President



Photos by Raj Raina



Sh. Sri Prakash Jaiswal, Minister of State for Home Affairs alongwith the members of the delegation aftrre receiving the memorandum.



A nostalgic epitaph for the non-Muslims

After a steady trend of maltreatment of non-Muslims, the Pakistani nation suffers from a paucity of good men. Muslim leaders are unreliable and dishonest but no one realises why this diminution of character has taken place

A VIEW FROM PAKISTAN



By Khaled Ahmed

PAKISTAN got out of hand after 1947 and threatened its non-Muslims, and then gradually journeyed towards eating its other children too, the 'borderline Muslims' that it wanted to push into the white patch in its flag. The Ahmedi leader Zafrullah Khan assured – mistakenly – the Hindu members of the Constituent Assembly in 1949 that the Objectives Resolution was not meant to hurt them, and then saw them abandoned by the state.

The Shias too got together with the Sunnis after 1973 to apostatise the Ahmedis, thinking the state would accept the Shia as normal Muslims. By 1985, the state began to support organisations that demanded the apostatisation of the Shia community too. Next in line are the Ismailis, Bohras and Bahais. Pakistan in this mode is like a snake eating its own tail.

General Zia-ul Haq got the Blasphemy Law into the statute books, which struck mostly at the Pakistani Christians. The most moving story is that of the Anglo-Indian Christians who decided to stay back in a 'caste-free' Pakistan. They thought since they were mostly involved in education and health and serving mostly Muslims – in addition to picking up their rubbish – they would be spared the wrath of Islam. But Muslim politicians, after being educated

in Christian missionary schools – as is the case of Nawaz Sharif – forced death as minimum punishment for blasphemy even when they knew that the law was being used against poor Christians.

In March 1993, the then Prime Minister Nawaz Sharif declared the Objectives Resolution affixed to the wall of the Supreme Court of Pakistan. But the text thus affixed omitted the word 'freely' when it spoke of the freedom of the non-Muslims to pursue their religions.

Most Pakistanis think the minorities enjoy complete freedom in Pakistan. They are shocked when such international institutions as the Human Rights Commission object to Pakistan's conduct and not to India's, forgetful of the rule that only maltreatment emanating from legislation is blamed on the state. Most Pakistanis don't count Ahmedis as Muslims but then don't treat them as a protected minority either. The liberal General Musharraf gave joint electorates to all the minorities except the Ahmedis. Pakistanis pompously accuse Americans of being discriminatory to the blacks and moan about Israelis treating the non-Jews cruelly but forget what Pakistan does to its non-Muslims and some others that it wants to declare non-Muslims.

Statistics on the human rights performance of Pakistan are available but are rejected as lies. The NGOs who undertake to publicise these statistics are angrily condemned as foreign-funded institutions carrying out foreign agendas in Pakistan. When organisations like Amnesty International reveal Pakistan's negative record, they are rejected; but when they reveal India's negative record, their findings are gleefully highlighted.

The Christian community continues to complain of discrimination in various forms. Some of them have been

threatened into embracing Islam. Some have succumbed, others have resisted at great risk to their lives, while some have actually used conversion as a way of making money off bigoted Muslims. Shantinagar and Sangla Hill in Punjab are two prominent communities where entire populations were sought to be destroyed. The process became more gruesome when incendiary powder and other devices distributed by the state among jihadi groups came to be used against the Christians.

Persecution of Ahmedis has not ceased. The current scandal of Layyah is an eye-opener. Four Ahmedi boys of a private tuition centre were accused of writing blasphemous lines in the lavatory of a nearby Sunni mosque. The boys were arrested while the police said there was no proof against them, but they were kept in jail because the newly banned Jama'at-ud Dawa was interested in punishing the Ahmedis. Now they are at the DG Khan jail, the city where Sipah Sahaba has traditionally killed the local Shia.

A TV channel caused the death of three Ahmedis in Sindh in 2008 after a discussion programme called them insulters of the Prophet PBUH. From April 1984 to December 1999, as many as 753 Ahmedis had been arrested for displaying the 'Kalima' and another 379 for 'posing as Muslims'. Now they take persecution silently and hate to be noticed by hypocritical Muslims feeling the rare twinge of conscience.

Hindus are treated well in parts of Sindh but the state doesn't like the Hindu community too much, especially as a potential fifth column for India. The Hindus of Balochistan were treated well as long as the tribal environment was intact but with the advent of a tough clerical order, campaigns of forcible conversion and ouster from property became common. Hindus are used in Sindh as slave labour. One can say that in many

places they are virtually slaves of the landlords who use them as farm hands.

Pakistan has demeaned itself by degrading its non-Muslims. In Sindh, Nanak-Shahi Hindus were close to the mystical heritage of the Sindhi man who still adheres to his culture and ignores the call of high orthodoxy. It is no surprise therefore that no Sindhi has so far presented himself to the Taliban as a suicide-bomber.

Today, Karachi is an underworld of violent Islam and ethnic politics. When the non-Muslims lived here before 1947, it was a great city. Self-diminishment of the Muslims today actually makes one remember the great non-Muslims who made Karachi what it is today. The Parsees came to be known as such in the 19th century. People often say of them: 'Parsee, thy second name is philanthropy!' But one can say that about all the communities who came to Karachi from Gujarat.

The traders and businessmen of Gujarat – the state of Akbar's Todar Mal – were the most intellectually advanced people in India and deserved to rule it but had to make way for the warriors of the north instead. All Gujaratis of Karachi are famous for their philanthropy. In the words of Ardeshir Cowasjee, his great grandfather, Hormusjee Jamshedjee Rustamjee used to say that it is the duty of the prosperous to look after their less fortunate brethren. He was a member of the municipality for a long time and also represented the public on the Board of Karachi Port Trust.

Dadabhoy Naurojee and his close companions – Bayramjee Malabar Sorabjee Shahpurjee Bengali, Kaikhusro N Kabraji, and Khurshidjee R Kama – were at the forefront of the Parsee efforts for welfare works in the field of education and health in Karachi and Sindh. KR Kama was also devoted to religious reform

and set up the Rahnuma-e-Mazda Yasir Sabha.

Reference must be made to Edulji Dinshaw's philanthropy. In 1885, when Lady Dufferin, wife of the Viceroy, launched an appeal for funds to build hospitals for women in various parts of India, Dinshaw, who had already set up two hospitals in Sindh, came up with a grant of Rs 50,000. When this proved inadequate, he gave another 35,000!

Out of Karachi's total Hindu population of 9,000, the merchant class dominated. Hindu merchants in Karachi were more prosperous than their counterparts in other parts of Sindh. They were mostly from the Lohano clan which was affiliated to the Vaishya caste. In 1933, Karachi Municipality was accorded the status of Karachi Municipal Corporation. Hindu, Muslim and Parsee communities played important roles in it. Harichand Rai Vishildas, a Hindu, remained the elected President of Municipality from 1911 to 1921.

Famous Parsee figure Jamshed Nussarwanji held the post from 1922 to 1933. He also remained Mayor in 1933-34. The other Parsee mayors include KB Ardeshir H Mama in 1936-37, RK Sidhwa in 1939-40, Sohrab KH Katrak in 1942-43.

The untouchable leader and Pakistan's first Minister for Law & Labour, Jogendra Nath Mandal, bemoaned the fact that the cruel hands of 'fate' had snatched the Quaid just when Pakistan and the minority communities most needed him. He was in for more shock when Maulana Shabbir Ahmed Usmani in the Constituent Assembly told him that non-Muslims could not hold key posts and had to pay a special tax, jiziya. After Jinnah's death, he went back to Bengal and died soon thereafter of a broken heart.

In Lahore, CW Forman was busy providing religious

(Contd. on Page 18)



By Prof. M.L. Kaul

Nilkanth Gurtu: The Last Kashmiri Pundit

'Although we wear this sheet with ever so much care, it has to be given up even as it'--Kabir

TO the utter shock and grief of scholarly circles, Prof. Nila Kanth Gurtu left this mortal world on 18th Dec., 2008, after having suffered the blisters and bruises caused by the Alzheimers disease.

Prof. Gurtu was a gentleman par excellence. He was a perfect shavite in word and above all highly obliging. He was a perfect shavite in word and deed. He was at peace with himself and peace with the world all around him. He bore no ill-will against anybody nor had others any reason to bear animosity unto him. 'Ajatshatru' is the apt word to describe his character, demeanour and manner. I believe he lived his allotted length of life meaningfully, purposefully and more than most gracefully.

Assiduous pursuit of Sanskrit scholarship, especially the theoretical and esoteric knowledge enshrined in the Sahiva texts was his sole pre-occupation. He possessed a golden heart and a scintillating head. His depth of understanding of the seminal shaiva texts was phenomenal and amazing. Though the borders between a professor and a pundit often blur.

Yet I would call him a pundit, a real Pandit, a historically conscious pundit. In the words of Bhagwatgita, he could be called a 'sthith prajmna' and a 'sanyasi' if sanyas means consciously ignoring ordinary desires that encase and engulf the mind of a man. 'Kamyam karmana nyasam'.

Prof. Gurtu had a father, who loved Sanskrit lore and learning and was a shaiva practitioner too. He was responsible for moulding his son in such a domain of learning as was shunned by many Kashmiri Pandits because of the existential insecurity caused by the oppressive Muslim rule. He was put to a traditional seminary which alone could shape him out in the field that his respectable father had chosen for his son. It was not a 'run of the mill' decision that the father, a lover of Sanskrit, had made. Despite opposition from near and dear ones, hassled by the father's decision, the decisive will of Prof. Gurtu's father prevailed. And the pupil continued with the curriculum as was prescribed by the then university of the Punjab. The son worked hard to earn the degree of 'Shastri', equivalent to graduation in Sanskrit, just at the age of seventeen causing consternation in the student population of those days.

Initially Pt. J.N. Dhar and Pt.

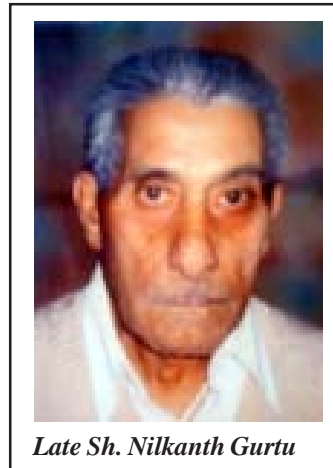
M.N. Nehru initiated Prof. Gurtu in the general studies in Sanskrit. Pt. Lalkak Langoo and Harbhath Shastri, awesome scholars of Sanskrit, furthered and deepened his understanding and grip of Sanskrit grammar, linguistics, and aesthetics.

Having earned two masters in Sanskrit and Hindi, Prof. Gurtu joined a government run academic college and rose too the status of a full-fledged professor of Sanskrit. In this capacity he served many an academic institution of the J&K State. Prior to his join the college department, he had a short stint in the Research Department of the state that was set up by Maharaja Ranbir Singh, who was responsible for the renaissance in the domain of Sanskrit learning and research in the state.

Prof. Gurtu was a great scholar of Kashmir Shaivism, which he would always nomenclature as 'Shaivadvai' philosophy of Kashmir as the name, was assigned to this strand of thought by Abhinavgupta, an unrivalled erudite of the said-philosophy. In the specific regime of Shaiva thought Prof. Gurtu was initiated and guided by Swami Laxman Joo Maharaja at the hermitage at Ishber, near the Nishat Garden. He was an ardent devotee of Swami Ji, who infused a bubbling spirit and enthusiasm among his devotees to learn the seminal texts of the indigenous Shaiva thought. He was a learned devotee of the Saint of Ishber and naturally got more benefited than many others in acquiring the knowledge of the subject and it is amply authenticated by the books authored by him. He began as a devotee of the saint and died as his devotee. The saint had bestowed such 'shaktipat' on his devotee as had enabled him to leave a fine yarn of the shaiva thought in glittering language and express the subtleties of the thought in highly expressive language. To me he always appeared as a Pundit because of his analysis of the issues related to Shaiva thought. He would always start with language, texture and context and then the clarifications and expositions would follow. In one of my brushes with him, I pointed out word and meaning make poetry (Shabada-arthav kavyan), he retorted--word and meaning do make poetry (Shaibda-Arthav Nanu Kayam).

Unlike many other Shaiva scholars Prof. Gurtu had an extensive study of the five schools of Indian thought. Focused on the Shaiva thought as he was, it was with great ease that he could relate the Shaiva

positions on broad theoretical issues with the positions expounded in all systems of the Indian thought. He was a great expositor, his explanations would be quite lucid and language apt and selective. He had the skill of an orator to choose his words directly touching the grooves and ridges of the brain-membrane of the audience. His teaching of the Bhagwatgita at the Ishber Hermit-



Late Sh. Nilkanth Gurtu

age would hold his audience as if in a magical spell. The gift of the gab and perfect understanding of the philosophical issues are what distinguished him from his illustrious teacher, Dr Balji Nath Pandit, who had an equal share in fashioning the cerebral capacities of Prof. Gurtu.

Prof. Gurtu as a theoretician did not rest his oars at the mere knowledge of the Shaiva thought, but as required by the thought itself he was a devotee, a bhakta, of Lord Shiva. The brilliant verses from Shiva-stotra of Utpaldev, were on the tip of his tongue and he would recite them lovingly and liltily as if he were in a recapture and hilarious flight. Then the explanations would gush out with firm emphasis on Shaiva Bhakti which is certainly a different cup of tea from the types of devotion as are found in other systems of thought. 'Separation' and 'Union' as two phases in the domain of Bhakti became lucid clear with the quotes from the Shiva Stotra. Aware of my background he once softly introduced a mantra to me which I could not practise because of the genocide that our community had to face at the hand of the cruel Jihadists. He as an exilee in Delhi continued with his practices and I could not, not because of lack of faith, but because of existential angst and pain caused by a phenomenon of total annihilation. As a high brow spiritualist he took it as a phase in Shiva sport. But thoroughly mun-

dane in approach and premis I took to the writing of history of genocide that Kashmiri Hindus were subjected to since the inaugural of Muslim rule in Kashmir.

Prof. Gurtu could be a masterly guide for any person genuinely interested in attempting to re-orientate a vital figure of the standing of Lalla Ded, a representative of the civilisational and cultural ethos of Kashmir. He knew the skill of textual criticism and importance of the comparative study of available manuscripts in such attempts. As a Head Pandit in the Research Department of the state he had chanced upon a slew of manuscripts of the Amarnath Mahatmya, which he studied and determined the text and published it with a sound Hindi translation and an invaluable introduction. All types of variations in different versions of the text were foot-noted and missing spaces were filled in with the help of other manuscripts. His guidance for everybody was that re-orientation of a text never means to mutilate the original text or imposed a new matter on the available text.

'Sambpancha Shikha' is another work of note that Prof. Gurtu assiduously studied, translated the text with Khemraja's commentary into Hindi and lucidly highlighted the Shaiva contest of the original text. As Kashmir has a history of writing Mahatmyas we have a work of the same hue called Harsheshwar Mahatmya. Prof. Gurtu translated the text into English along with an illuminating introduction to the book.

'Spand-Karika' and 'Paratrimshikha' are the two other seminal works of Kashmir Shaivism which the professor studied at the lotus feet of his venerable guru, whose opinions on issues of theory and praxis of the said-philosophy of Shaivism he always upholds as the final word. In the Spandkarika Prof. Gurtu's expository skills stand out and subtle issues and concepts of the thought stand comprehensively explained, expounded and expounded. 'Paratrimshikha' is deemed as the subtlest of the Shaiva works and Prof. Gurtu ably determined the text and translated it into Hindi with copious explanatory notes and expositions that unravel the esoteric content of the text.

Be it said, the publications of the 'Paratrimshikha' with its amazing Hindi translation and profuse explanations was not savoured well by many devotees of Swamiji Maharaja at the Ishber hermitage. Prof. Gurtu was grievously hurt when he

was accused of unravelling the esoteric content for a consideration. He chose me for expression of his hurt sentiments. I expressed lot many empathies to dispel his hurt and carefully chose a language in appreciation of the tremendous work he had done. His temperament was cool and sedate and nothing would flap his temper. But, this development at the hermitage was what he could not bear with. The fact is that his publisher had harvested his book and given him a mere pittance. More than most, he had done a great service to the very philosophy of Shaivism by translating a formidable work like 'Paratrimshikha'. And it should have been recognised by all who mattered at the Hermitage.

Soon after Prof. Gurtu's 'Paratrimshikha' was published Dr. Jaidev Singh who too had studied the work at Swami Ji Maharaja's lotus-feet put it into English. He took the text as the most authentic as was determined by Prof. Gurtu and added his own explanations and expositions to the work thereby making it more useful for a wider section of lovers of Kashmir Shaivism. The work is published and carries an introduction by Dr. Betina Baumer, a devotee of Swami Ji Maharaj.

As Prof. Gurtu was a senior colleague and I had thick contacts with him, I once expressed my desire to have a nodding acquaintance with the theoretical postulations of Kashmir Shaivism. He took no time in conceding my humble request. A dexterous teacher with a missionary zeal Prof. Gurtu taught me seminal works like Tattava-Sandoha, Shaivsutra, Spandkarika, Ishwarprabijjna-Vimarsini and some portions of Shiva-Drishti. I could not continue as we as members of Hindu community got uprooted and scattered under the determined onslaught of Jihadis.

I owe a great debt of gratitude to him for the pains that he took to enlighten me with the whole spectrum of philosophical developments in Kashmir. Since he taught me some vital texts with care and diligence I always considered him as my guru and in Shaiva parlance guru is shiva-guru who initiates a pupil in the Shaiva-marg in accordance with his worth. Perhaps, he considered me his worthy pupil when he disarmed Dr. Balji Nath Pandit by telling him that his materialist pupil would work wonders through his initiation in the Shaiva thought. Prof. Gurtu prodded me to take up a research project on Somananda's Shivadrishti. At his insistence I had submitted a synopsis to the Rashtriya. Sanskrit Sansthan for approval. But displacement and exile topsyed and turvyed everything we had planned.

Those who are born are destined to die (Jatasya hi mretu druvam-Gita). Prof. Gurtu had all the angelic qualities. But, in the words of John Keats, 'had he not died, he would have been an angel'.

In the end, As a mortal I pray for peace to his soul.



By B.N. Sharga

Our Founding Father

BARRISTER BISHAN NARAIN DAR

WHENEVER a person tries to break the existing social barriers of his times he has to pay a heavy price for it. There are innumerable such instances in the history when the great men had even to sacrifice their lives because the ideas propounded by them were not acceptable to the people of their period. We should not forget that Jesus Christ was crucified, Socrates was forced to drink poison and Mahatma Gandhi had to face the bullets not for committing any sin, but for cherishing certain basic human values and ideals which were not to the liking of a certain section of the society in their era.

Pandit Bishan Narain Dar likewise was excommunicated by his own community members from the *Biradari* for undertaking a sea voyage which was considered to be an unpardonable sin in those days although he created history by becoming the first Kashmiri Pandit to go to England and the first Indian to become a Barrister.

Pandit Bishan Narain Dar was born in 1864 in Barabanki district of United Provinces. Incidentally it was the same year in which Canning College was established in Lucknow by the *Taluqdars* of Oudh loyal to the British for imparting European education to the Indian students and to perpetuate the memory of Lord Canning who was the Governor General and first Viceroy of India at the time of annexation of Oudh by the British.

After crushing the Mutiny of 1857 by the native sepoy of East India Company Lord Canning read the proclamation of Queen Victoria from the ramparts of the Allahabad Fort on 1st November 1858. Allahabad was made the capital of the country during that period. Thus Victorian era began in India.

The ancestors of Pandit Bishan Narain Dar left the Kashmir Valley in the first half of the 19th century. His grandfather Pandit Hari Ram Dar travelled whole of North India in search of a good job and ultimately succeeded in becoming an *Akhbar Navis* for king Wajid Ali Shah, who was the last ruler of Oudh.

Pt Hari Ram Dar's cousin Pt. Tika Ram Dar had a printing press. During the Mutiny of 1857, Pt. Tika Ram Dar to hoodwink the British secret agents gathering information about the revolution arise, shifted his printing press on a big boat in the river Gomti from where the pamphlets were printed against the British to be dis-

tributed among the citizen of Lucknow to rise in revolt. But when things became quite difficult for Pt. Tika Ram Dar to continue his campaign due to British intelligence, he very secretly migrated to Benaras now Varanasi to avoid being framed for treason by the British.

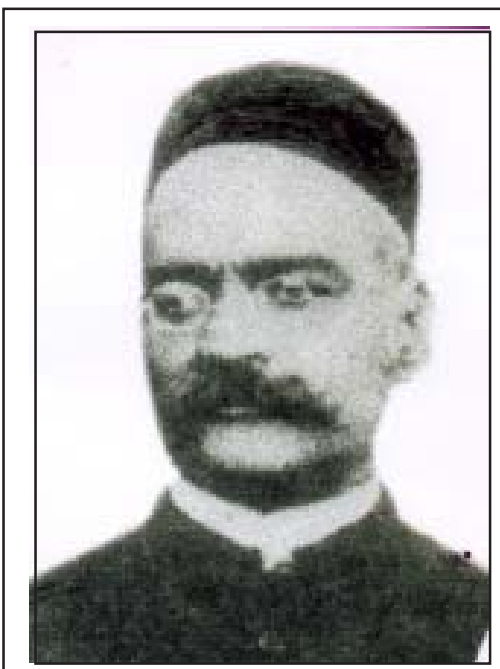
Since Bishan Narain Dar's father Pandit Kishan Narain Dar became a *Munsif* in the post-annexation period and got his posting at Lucknow so his family shifted from Barabanki to this city after the Mutiny of 1857 and settled down again in Kashmiri Mohalla around 1860 when the British had total administrative control over this city after crushing the rebellion of native forces under the command of Begum Hazrat Mahal. The Kashmiri Mohalla of Lucknow was having a big concentration of the population of Kashmiri Pandits in those days.

Pandit Bishan Narain Dar had his early schooling in Lucknow like many other Kashmiri Pandit boys of that period. He also did his graduation from the Canning College in 1884 which was affiliated with the Calcutta University at that time. In Canning College he came in contact with Pandit Pran Nath Bazaz who was a teacher there. Pandit Pran Nath Bazaz was a student of La-Martiniere College in 1850, so he was having a very broad outlook and was slightly ahead of his times in his ideas and thinking than many other Kashmiri Pandits of that period. Actually he inspired young Bishan Narain Dar to take a trip to England for higher studies although the *Biradari* members were not at all in favour of such a proposition and were on the contrary deadly against this move of Bishan Narain Dar which was considered to be something highly *inauspicious* for the entire community due to very rigid social customs and beliefs prevalent in the community at that time.

Naturally under such adverse circumstances with no support forthcoming from the community members and not even from his close blood relatives Bishan

Narain Dar had no choice left but to plan his trip to England very secretly so that it may not lead to any unpleasant situation or might not create an embarrassment to his parents.

He somehow managed Rs. 3,000/- from his close friends and well-wishers and left for London along with Professor Gaul who was his teacher in Canning College on 21st March, 1884. Before his departure from Bombay by ship, he wrote a letter to his father in Lucknow demanding more money for his stay in England. His



Barrister Bishan Narain Dar

letter further electrified the already surcharged atmosphere in Lucknow. The news about his clandestine departure to England spread like a wildfire among Kashmiri Pandit families living in Kashmiri Mohalla and aroused a storm of indignation particularly among the women folk of the community.

Consequently a meeting of the *Biradari* was called on 1st June 1884 in *Ganjoo Walon Ka Shadikhana* and the crisis was precipitated to such an extent between the supporters and opponents of Bishan Narain Dar that a sharp division of the *Biradari* took place into two groups known as *Bishan Sabha* and *Dharam Sabha* on this major issue concerning the *Biradari*.

As a good majority of the Kashmiri Pandits living in Kashmiri Mohalla were either big landlords or *zamindars* with vast rural properties under their command, so they were wielding a considerable influence on the community due to their position in the society and money power. These highly orthodox and traditional people who were not at all prepared to introduce any reform in the community constituted the *Dharam Sabha* under the leadership of Pandit Raj Narain Bakshi who was against acquiring western way of life, whereas very small number of Kashmiri Pandits with progressive ideas and who were against the very rigid social customs and traditions and were in favour of Bishan Narain Dar's trip to Eng-

land formed a separate group in the *Biradari* known as *Bishan Sabha*.

The prominent members of this group were Dewan Amar Nath Kaul, Pt. Tribhuwan Nath Sapru *Hijr*, Pt. Ratan Nath Dar *Sarshar*, Pt. Baij Nath Kaul, Pt. Udit Narain Chakbast and Pt. Lalita Prasad Batpori, etc.

It is interesting to note here that though this division of the community took place in Lucknow, but this controversy reached upto Lahore and divided the community even in that city because of the matrimonial alliances between the Kashmiri Pandits of Lucknow and the Kashmiri Pandits of Lahore. Many articles on this topic were published in the Tribune an English daily of Lahore in those days strongly condemning the action of Bishan Narain Dar.

It may be recalled here that prior to this incident in 1834 Pandit Mohan Lal Zutshi was excommunicated from the *Biradari* for undertaking extensive journeys to the Arabian countries. On his return to his home land this unfortunate Kashmiri Pandit was subjected to so much of humiliation and insult by his own community members that he became a Muslim by embracing Islam. Simply because there was no one in the community to support him at that time.

It should be mentioned here that young Bishan Narain Dar was an active member of the circle of disciples of Pandit Sheo Narain Bahar who was the editor of *Mursala-e-Kashmir* a caste journal of Kashmiri Pandits which was brought out in Kashmiri Mohalla in those days.

This group for the first time around 1870 established a Kashmiri Young Men's Club under the guidance of Pandit Sheo Narain Bahar. The main object of this club was to inculcate good habits in Kashmiri Pandit boys and to inspire them to discard bad Nawabi habits like visiting the *Kothas* of *tawaifs* in Chowk indulgence and addiction which were spoiling the future prospects of the youths of the community by deviating their attention and concentration from their studies.

This club also used to provide access to information about modern society and standards of living so that the Kashmiri Pandit boys could compete with others in every walk of life without any handicap or hesitation.

Now one could very well imagine the impact of all these developments at home on the tender mind of young Bishan Narain Dar who was busy in studying law in England far away from his land of birth.

(Contd. on Page 15)

The Language called 'Siraiki'



By Sanjay Godbole

PRIOR to the partition of India, the 'Siraiki' language was mainly spoken in undivided Punjab. After the partition, many 'Siraiki' speaking people migrated to India, but in Pakistan this Siraiki language was developed to a great extent.

In India, too, programmes are arranged under the auspices of Siraiki Sahitya Sangam of Delhi, for the development of Siraiki. In this connection a gathering of poets of Siraiki was being arranged on 12th of March 2006 at Delhi.

I had an opportunity to talk to Dr. Jagdishchandra Batra, the president of Siraiki Sahitya Sammelan, and to know his views about the history of Siraiki language.

Dr. Batra explained me that Siraiki is like Sanskrit and other Indian languages, having an ancient history and tradition. This language was spoken principally at Multan, hence it is also called as 'Multani'. At present where there are centres of Siraiki there are centres of Indus Valley culture also.

The great formulator of 'Yogic Sciences' Patanjali and the famous grammarian 'Panini' were experts of the Siraiki language. Today the prominent centres where Siraiki language is spoken in Pakistan are 'Muzaffargarh, Dera Gazi Khan, Dera Ismail Khan, Zang, Miyanwali, Kohat, Bahawalpur, Rahimyar Khan, Jacobabad, Sarwar and Larkhana'.

The number of people who have settled India after partition and those who speak Siraiki is 20 million or even more.

Even as on today, the Siraiki speaking people during their various festivals, Sing Multani songs, folklores, and special music in the forms called 'Dohade, Tappe, Mahiye & Dhalle; this way they have retained the Siraiki culture. The Christian missionaries, who arrived in India, translated the Holy Bible, first in Siraiki language only.

In the 19th century, Mr. Oberine, the then British commissioner of Multan, was highly impressed by the Siraiki Language as spoken in Multan and he published a book elaborating the richness of that language. Mr. Pearson, a British scholar has mentioned that the Siraiki language was spoken on both the banks of river Sindhu in the North side.

This language is also known as 'Sindhavi' and Lehenda'. Originally, the Siraiki language had its own script. It was also known as

'Lehenda Script. In Pakistan, the 'Siraiki' Language is written in Persian script only, in India, however, many senior citizens can read and write the 'Lehenda' script.

The famous linguist, Dr. Vazir Aga, opines that the language, the gypsies of Europe speak is originated from Siraiki. Perhaps, these Gypsies have migrated to Europe in the 11th century from the province, where Siraiki was spoken and this could be the result of it. The chasht-e-Punjabi as spoken these days is a dialect of Siraiki only.

An expert and an authority on the 'Siraiki' language, Dr. Shaukat Mughal of Pakistan is of the opinion that the language, referred to; by Abul Fazal in 'Ain-e-Akbari' and which was spoken in the valley of River Sindhu in Multan is none other than Siraiki. According to Dr. Batra, the Siraiki spoken around Lahore has a great influence of Sanskrit and the Punjabi, spoken there has influence of Persian. The rules of grammar of Siraiki are similar to that of Sanskrit. But now that in Pakistan, Siraiki is only spoken, but not written, the school textbooks are not in Siraiki.

In India, about 20 million people speak Siraiki. The no of Siraiki speaking people is even more beyond the borders.

All these Siraiki speaking people have forged an United Front and have put forward a demand for independent 'Siraikistan'. They have also proposed that the National language of Pakistan must be 'Siraiki'. In India, the programmes in Siraiki are regularly broadcast from Jalandhar and Suratgarh centres of all India Radio.

Some Baloch from Baluchistan speak Siraiki. Similarly in the North West of Sindh also, Siraiki, is widely-spoken. Dr. Jagdishchandra Batra hails originally from Muzaffargarh in Pakistan. He mentions that 'Basant Panchami' was the festival of Siraiki speaking people. Today 'Basant Panchami' has become the National Festival of Pakistan. Some of the prominent Sirmames of Siraiki speaking people are 'Bhatiya, Aroda, Narang, Batra, Chawla, Nagpal etc.

Siraiki language has a rich tradition of literature, says Dr. Batra. He further mentions that Damodar authored an epic 'Heer Ranza' in Siraiki in the 12th century. Siraiki boasts of a long tradition of talented and gifted literateurs Baba Farid and Shah Hussein have given some beautiful compositions in Siraiki. Following is an excellent specimen of the poetry of Shah Hussein.

Even as on today also, in, Pakistan, a lot is being written in 'Siryaki' many new compositions and poems are being creatively generated for example, please look at the ode of Uinmid Multani. Like in India, there are also patrons of 'Siraiki' language and culture in Pakistan. Numerous journals, periodicals are published in 'Siraiki' language and interactions between literary circles are being promoted. The Sindhi Academy is also doing constructive work for the promotion of 'Siraiki' language. Mr. Batra is confident, when he asserts that the Siraiki language will be a major contributory factor as far as the mutual intimacy and a close rapport between India and Pakistan, in near future, is desirably woven.

The Sculpture found in Pak occupied Kashmir

By Sanjay Godbole

MUZAFFERABAD, the historically important city, is presently the Capital of Pakistan occupied Kashmir. Here several age old and ancient relics and remains have been unearthed and brought to light. The classification exercise of these remains into Hindu and Buddhist categories, is presently in the offing. Here, there is an ancient whitish knoll, where broken pieces of terracottas, pot sherds, ancient objects and beads of numerous shapes and designs frequently surface during explorations and expeditions. It is here only that many age old and ancient sculpture have been reported and the work of errecting a small museum of these precious items is in progress, in Muzaffarabad.

Dr. Sabir Afaqi, an erudite professor was the Head of Department, of Urdu, Persian and Arabic studies, at the University of Kashmir Muzaffarabad. He has translated into Persian, a book depicting the ancient history of Kashmir, titled "Rajtarangini". Sabir Sahib, was also the President of Kashmir Gujar Association. He provided me from Muzaffarabad a photograph of

Kashmiri Sculpture, for my persual and for studying the same. Dr. Sabir is of the opinion that many ancient remains and antiquities of historically and archaeologically importance do exist in the near vicinity of Muzaffarbad and even these old remains are possibly connected with many events and occurrences thereof since the Mahabharata era.

Dr. G.B. Deglurkar, an eminent authority on Iconography, has opined that the Sculpture which was found at Muzaffarabad recently, belongs to the class of sculpture categorized as "Hero Worship" type. The sculpture can be described as under :-

Under the decorative arch, there is a Warriar in a fighting and Combatant stance. He holds in his hand a Sword like weapon. In the front of the Sculpture, there is a niche in the wall for illuminating the Sculpture with the help of a Lamp. Below the nich, mere is an ornamental decoration of the temple. On account of the aureole behind the sculpture, it could be surmised that unless the sculpture is that of a deity, could possibly be of a noble soul or a majestic personality like a "Virgal" type Sculpture of Southern India. The sculpture can be assigned to eighteenth century.



The sculpture found in Pak Occupied Kashmir.

Maha Shivratri-Revisting Kashmiri Ritual Variants



By Upender Amardar

FESTIVALS are vibrant representatives of traditional values, cultural and religious ethos and mythologised past. The various rituals and religious rites having localised distinctive uniqueness are vital components of festivals. They add substance, strength, warmth and spiritual colour to the weave of human life. The indigenous ritual variants of Kashmiri Maha Shivratri carry multilayered mystic truths and meanings. They not only denote ancient roots but also our cultural and religious moorings. The various Shivratri rituals having a time wrap of antiquity signify centuries old beliefs, traditions and wisdom. The festival is believed to symbolize the celestial wedding of Lord Shiva and Goddess Parvati and that of Goddess Sati in Her previous birth. As per a belief, the auspicious divine function was solemnised by the Lord Brahma Himself in present of all Deities, Rishis and Saints. Maha Shivratri is an eagerly awaited and enthusiastically looked forward festival as Lord Shiva, the great God of the Universe is the most favourite and lovable God, WHO is revered equally by all the Gods, human beings and the demons.

Lord Shiva represents a contrasting life of a householder and an ascetic.

Lord Shiva also connotes a happy and contented family life, Who is believed to reside in the snowcapped mountain of Kailash along with His ever auspicious spouse Goddess Parvati, sons Lord Ganesh, Lord Kartikey and a host of His faithful attendants like Nandi, Kubera, Yakshas, Gandharvas and other 'Ganas'. Rightly Kailash mountain is also known by an alternative name of 'Ganaparvata', the mountain of 'Ganas' as it is frequented by all the Deities, saints, sages, demi-Gods and the Divine incarnations. As per a popular lore, Lord

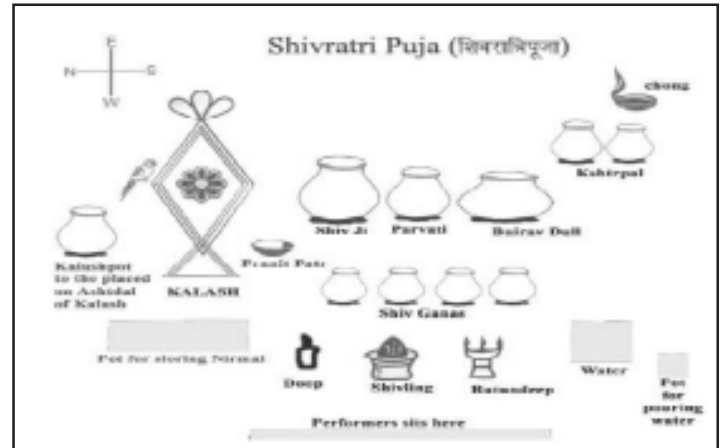
Shiva also personifies the frightful and disturbing aspect of nature in the form of snow and harsh chilly winter. It is one of the reasons that Maha Shivratri is celebrated in the severe and rough winter. The festival celebrated in the night designated as 'Kalratri' also symbolises ignorance, obscurity, seclusion, tranquillity, quietness, impiety, depravity, incomprehension and degradable imperfections. Lord Shiva is the only Supreme God, who grants redemption from all these imperfections. The dark night of Maha Shivratri is also a metaphor for 'Tamogunic' aspect as Lord Shiva is believed to have revealed His divine appearance just before the Universe stepped into 'Kaliyuga', the fourth and last era of Hindu mythology.

Lord Shiva is also regarded as the foremost God of the whole Universe, which comprises earth, sky, air, fire, sun, moon and space. Lord Shiva is also known as the lord of music and dance, both of which are regarded as the divine arts. Lord Shiva is also the God of 'Prates', 'Pischas', Kirates, demons, goblins, ghosts, wandering spirits, the forest spirits of Yakshas' and the troublesome forces of the Universe. It is indicative of the benevolent nature of Lord Shiva, Who is believed to give refuge and shelter to all those, who feel rejected, disregarded, ignored and marginalised. The festival also signifies all that is sacred, pious and auspicious in this Universe. As such, as a run-up the preparations for the festival start nearly a month in advance as the whole house is spruced-up and readied for the welcome of the divine spouses and the divine guests. In tune with the auspiciousness of the Cosmic alliance, all the dress-up attires, utensils are washed and old earthen utensils are replaced by the new one's. The smearing of the house with a mix of mud, water and cowdung and use of earthenwares in the pooja are metaphors for the essential element of Earth, which speak volumes about earth's generosity and benevolence.

The various Shivratri rituals, which are deeply embedded in our social life denote the celebration of mythologised heritage and indigenous individuality of our presence. The glory of these rituals is like a sweet memory for Sh. P.L. Razdan, an erstwhile resident of Purshiyar Srinagar and now stationed at Subash Nagar, Delhi. He recalled with pride that ritualistic 'Panch-ratri' pooja was an essential compo-

nent of Shivratri festival in the earlier times. According to him, apart from the customary 'Vayur', two water-filled vessels known as 'Auster Kalash' and 'Mantar Kalash' were reverently seated on the left side corner of the Pooja-room. On the day prior to 'Haerath', in addition to 'Vagur' eleven number of earthenwares known by the name of 'Haerkai' occupied a reverential place in the Pooja-room. They were regarded as special invites for the sacred occasion. On the Shivratri day, in addition to 'Vatuk Bhairav', one more set of eleven earthenwares designated as 'Vatkai', six number of clay pots known as 'Khaterpals' and an additional set of eight more utensils collectively called as 'Asht Bhairav's' were an essential component of Pooja vessels. The eleven 'Vatkai' are said to represent the divine 'barat', while as the eight earthen utensils of 'Asht Bhairav', 'Symbolize the eight guarding deities of Srinagar city, who as per a religious belief are under the direct supervision of Lord Shiva. The 'Asht Bhairav' are also regarded as the body-guards of Lord Shiva. The notable exclusion of the usual wide-mouthed vessel 'Dul', representation of Goddess Parvati is peculiar to Shivratri pooja of his clan. An enormous quantity of flowers along with 'Arg' (a ritualistic mix of dry rice grains and flowers), was used in the 'Panchratri' pooja performed upto midnight for the first five days of the festival. Speaking further, Sh. Razdan revealed that on 'Amavasya' locally known as 'Doon-maves', in addition to the family members, all the close relatives including married daughters and sons-in-law would join the ritualistic pooja, which would continue upto midnight. The 'doon-mavas' pooja was performed amidst the recitation of 'lila rabdha' stories and offering of Sugar Candy (Kund) offered to the vessel of 'Vatuk Bhairav' and waving of 'ratan-deep' brought individually by them. The said pooja would culminate with the mixing of water contained in 'Astur Kailash' and 'Mantar Kalashi' vessels with a connecting Kusha grass woven string remaining on both the vessels during the ritualistic mixing. The Kusha grass string was known by the name of 'Ginan Khadak'.

Afterwards, drops of mixed-upwater were sprinkled on the house inmates with the help of 'Ginan Khadak' amidst the recitation of 'Bahu Roop Garab' sholkas. As a final part of



'Amavasya' ritual, pooja was performed on the river bank of 'Vitasta' at midnight with rice flour made rotis locally known as 'Chochivar' and fried sheep liver pieces forming the main pooja ingredients.

The festival of Shivratri is like a walkdown on the memory lane for Sh. Bushan Lal Bhat, original resident of the village Chanderhama, district Baramulla and presently living at Paloura Jammu. Recapping the holy festival, he recollected that seven different items consisting of rice, haize, moong, barley, cooked rice and cotton seeds, locally called 'Kapsi tout' were put in a water filled earthen vessel called 'Satae Laej' on Shivratri day.

A few families of the village would also offer uncooked fish to the 'Bhairav Dul'. A small portion of snow usually procured from the shady area of the village called 'Asthan' also formed an important offering. On 'Tila-Ashtami' evening, walnut shells filled with edible oil were utilized in place of oil lit earthen lamps. As per a local belief snow offering and oil lit walnut shells give a touch of auspiciousness to the occasion.

The oil lit walnut shells were usually kept at the front door of the house, front varandah, courtyard wall, ash-storing container (Soore Laej) and cow-dung heap, locally known as 'gush loedoh'. Recollecting the festival celebration of the yore, Sh M.L. Kemu, an erstwhile resident of Zaindar Mohalla Srinagar and presently at Kunjwani Jammu opined that rituals lend a sense of belonging and an area specific identity to a community. He recollected that offering of a live fish locally known as 'neej gadh' to the designated vessel of 'Bhairav-Dul' was an integral part of Shivratri ritual. Reminiscing about the festival, Sh M.K. Khushoo, an original resident of Wazapora, Alikadal Srinagar recalled that a few families in his neighbourhood would offer a small part of sheep's hair coating locally

known as 'moon' to 'Bhairav Dul'. In case of its non-availability, the said offering was substituted by unspure cotton. Recollecting further, he revealed that a small quantity of liquor was also a part of ritualistic offering to the vessel designated as 'Vatuk Nath'. A few drops of the liquor put on the palins and taken as 'naveed' by the house inmates was also an integral part of religious faith.

Memories of Shivratri celebration at Srinagar are like a sweet recollection for Sh. Papuji Khazanchi of Sathu Barbarshah Srinagar and now a resident of Bakshi Nagar Jammu. He recalled that sheeps' lungs alongwith heart put on an oval earthenware called 'toke' as a token of sacrificial offering during 'Shivratri Pooja' was led to the kites on the following day of 'Salam'. According to him, apart from the lavish delectable meat cuisines, the preparation of roasted minced meat was a special meat offering to the specific pooja vessel of 'Bhairav Dul' on Shivratri festival. Sh. Papuji Khazanchi also recounted that fragrant smell of incense resulting from the burning of gugal, locally known as 'Kanthgun' and black sesame seeds was ensured for the entire length of Shivratri Pooja as it's fragrance and aroma are believed not only to please Lord Shiva but also to ward off evil and negative influences. Sh H.L. Bhat, hailing from Sangam, Kokernag Anantnag and now resident of Durga Nagar, Jammu regards rituals as watchwords of a festival as they reinforce our implicit faith for the time-tested traditional customs.

Recounnting the Shivratri Pooja of yesteryears he reminisced that about seven families of his village would make a sacrificial offering of coagulated blood of slaughtered sheep to the designated pooja vessel of 'Bhairav Dul'. It was procured either from the butcher or from the village abattoir (Zabakhana). He also stated that a preparation of cooked lungs offered to 'Bhairav Dul' was also a part of tantric rituals.

--To be continued

Remembering Bansai Lal Ji

By Prof. A.N. Dhar

I had the good fortune of getting to know Shri Bansai Lal Khar at Jammu over a decade back. Our relationship flowered into a close friendship within a couple of years. How sad it is that only after a short illness his health deteriorated so fast that he gave up his mortal coil within a few weeks and he is now no longer amidst us in his human form! The news of his sad and untimely demise came as a rude shock to his numerous friends and admirers from all walks of life in Jammu and Kashmir.

Precisely speaking, Bansai Lal Ji and I remained closely associated with each other as active members of the *Upanishad Vatika*, which is housed in a room of the residential building owned by the Sadhus (KP family at Patoli, Janipur). It was founded by the saint-scholar Shri Jankinath Koul Kamal, who left for his heavenly abode in the year 1997. Later on, with the passage of time, the *Vatika* grew into a vibrant spiritual centre, though very modest in terms of physical accommodation and also short of any trappings. The members get together, as devotees, every week in the evening on Tuesdays, offer congressional prayers and also participate in religious discourses on some select spiritual texts. It is with a sense of nostalgia and deep gratitude that I recall the valuable contribution of some members to the growth of the spiritual centre in question over a period of time. They unfortunately passed away in quick succession one after the other:

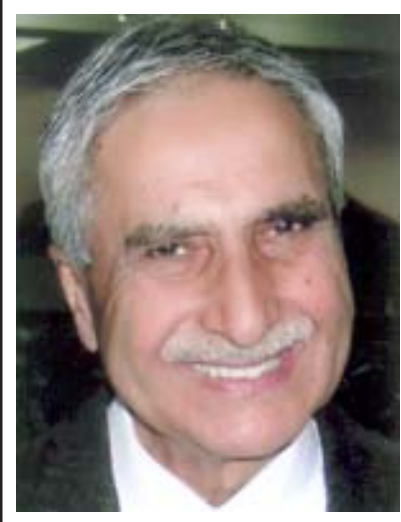
Sarvashri Kashinath Toshkhani, M.L. Qasba, C.L. Durrani, Prem Nath Raina, Dina Nath Yach (well known Sanskrit scholar and researcher) and Anupam ji learned son of his illustrious father, Late Jankinath Koul 'Kamal'.

Then, followed the recent exit of the great personality we affectionately called Khar Sahib, the "Bansai Lal" I addressed a poem to in English. He rendered his valuable services to the *Vatika* through his lectures on the *Gita* for a couple of years followed by his textual analysis of the *slokas* of the *Sunderlahri*. He will be painfully remembered when we meet next at the *Vatika* after a long break!

Bansai Lal Ji's signal contribution, through his continuous services rendered all the years to the *Pushpati Mandir*, upper Laxmi Nagar, deserve special mention. Persuaded by him last year, I chose to become a life-member of the General Body of the Mandir. During the past one year or so, I occasionally joined the Puja at this Mandir. I am, however, not knowledgeable enough to write in detail about Bansai Lal Ji's great contribution to this spiritual centre. All that I know is that he was anchor man of the religious body here; he never missed his morning and evening prayers at the *Pushpati Mandir*. He was in fact the prime mover of all the religious

activity that has been going on here.

What I consider as Bansai Lal Ji's crowning achievement is the hard labour he put in during the last two years in enriching the contents of the English section of the *Kashmir Bhavani Times-Journal*, published by the K.P. Sabha. He gave it fine touches and contributed not only valuable editorial pieces but other write-ups too that won him the reader's applause. He had a flair for writing and was



very knowledgeable about the topics he chose to write on. He had all the makings of an accomplished writer and has left behind a large number of published essays that can be compiled into a posthumous volume.

Above all, I have known Bansai Lal Ji very intimately as one advanced in the spiritual path. Well read in the scriptures, he was at the same time a Karmayogi of high order, also a Bhakta who attached due importance to religious rituals. A few months back he called on me when I was absorbed in singing Bhajans to the accompaniment of my harmonium. I had a glimpse of his spiritual stature in a momentary 'vision'. He will continue to live in my thoughts. He will indeed be remembered by his friends, admirers and dear ones as an outstanding person, a great soul.

By Prof. M.L. Raina

I was, like any other person, shocked over the passing away of Sh. B.L. Khar. I had the good fortune of knowing him from close quarters and was immensely impressed by his sterling qualities of head and heart. He endeared himself to all who came into contact with him by his sweet disposition, candour, gentleness and above all his modesty about his achievements in various walks of life. He was a versatile and accomplished writer in his own right and had a good grounding in Indology. He was deeply religious and possessed an in-depth knowledge of our scriptures. Sh. Khar was verily a sparkling jewel in the crown of his community.

He took great pains in serving people in general and the members of his community in particular in the capacity of a dedicated and committed social activist. Humility, which accompanied his entering and result-oriented efforts, set him apart from most of the people around him.

Sh. B.L. Khar has served as a typical example of the philosophical concept of 'life in death' insofar as he, in his life time, placed himself at the service of people selflessly and with dedication and has thereby made himself immortal. He will live in the memory of people for his noble thoughts and commendable deeds. May his soul rest in eternal peace!

A nostalgic epitaph for the non-Muslims

(Contd. from Page 12)

instruction and educational facilities, assisted by six of his missionaries including Pandit Gokal Nath Chatterjee, Radha Raman and Kalicharan Chatterjee. They opened schools in many other cities too, including one in Karachi in 1862. Adult literacy centres were also started by them.

Sisters of Jesus & Mary opened their own convent schools in Murree (1872) and Lahore (1876), and, in 1882-83, the Saint Thomas College commenced its classes. At about the same time, schools were started in Hyderabad and Multan, while a girls' school came into being at Rawalpindi.

Forman remained busy in Lahore for 45 years. He died in Kasauli in 1894 and was buried in Lahore.

One Wellesley Bailey collected 600 pounds in England and established a mission in

CONTINUATION

India exclusively for the aid and treatment of lepers. He went back in 1882, but then he collected another 348 pounds (of which his own contribution was 14 pounds) and dispatched the amount to Wazirabad for the education of untouchable children who were new converts to Christianity.

His work was followed up by his son, Graham Bailey, who

came out to Punjab as a missionary and acquired scholarly fame as an expert in Punjabi. He compiled a grammar of the language which is still regarded as a basic reference book. His daughter married Dr L Taylor who set up a mission hospital in Jalalpur.

After a steady trend of maltreatment of non-Muslims, the Pakistani nation suffers from a paucity of good men. Muslim leaders are unreliable and dishonest but no one realises why this diminution of character has taken place. It is not hard to guess after realising how badly they have treated the minorities.

(Source: The Friday Times)

"ANNUAL HAWAN OF HARMUKH CHARITABLE SOCIETY (REGD.) AT VIPIN GARDEN, NEW DELHI-59

Harmukh Charitable Society (regd.), 345-A, Vipin Garden, New Delhi-59, is organising its Annual Hawan which will start on Saturday, 7th March 2009 at 8 PM and Pooran Ahuti will be offered on Sunday, 8th March 2009 at 2 PM. All our Biradari members are requested to participate in the Hawan Ceremony and have Navid/lunch alongwith their families.

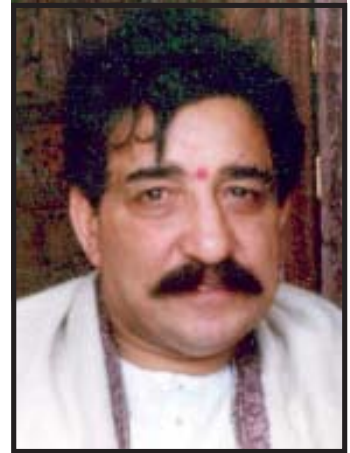
Sd/-
M.L. Bhat
President

Chronology Of Events Jan 1, 2009- Jan 31, 2009

- Jan 1: Two jawans and a JeM commander are reported to have been killed in a gunbattle in Bhati Dhar forests in Mendhar, Poonch. An ex-serviceman's body was found in Dak Bungalow area of Surankote. Five people were killed and 50 others injured in three Guwahati blasts.
- Jan 2: Four LeT terrorists are reported to have been killed in Bhati-Dhar forests while a Retd. ASI was held for terrorist links. Two HuM terrorists were killed in Sopore. Defence Minister AK Antony said that Pak has no right to advise India on troop movement.
- Jan 3: An SPO was killed in continued gunbattle in Bhati-Dhar, Mendhar. Security forces busted a terrorist hide out in Kandi Budan forests in Sheeri, Baramulla and recovered 10 kg RDX. Prime Minister Dr. Manmohan Singh said in Shillong that there will be no compromise with those holding gun and govt. will go to any extent to root-out terror. Home Minister Sh. P Chidambaram will travel to the US with dossier on Mumbai terror.
- Jan 4: The encounter in Bhati Dhar continues and security forces picked up Muneeza Beghum wife of Mohd. Shafi of Bhati Dhar and presently in Saudi Arabia for terrorist links. A terrorist fell to death in forests in Tral. A CRPF jawan was injured in accidental fire in Channi Himmat, Jammu.
- Jan 5: Army reportedly mined Bhati Dhar and mulls aerial operation to nail the terrorists as the encounter entered seventh day. Sh. Omar Abdullah was sworn in as Chief Minister with Deputy Chief Minister and eight cabinet ministers.
- Jan 6: Army used smoke bombs as the Bhati Dhar operation continues for the eighth day without any specific success. A CRPF jawan ended his life in ITI Complex Poonch. Addressing the Chief Ministers meet on "Internal Security" Prime Minister Dr. Manmohan Singh said that Pakistan was using terrorism as state policy while J&K CM Sh. Omar Abdullah favoured proper implementation of terror laws.
- Jan 7: Army Chief General Deepak Kapoor aid that holed up terrorists at Bhati Dhar belong to JeM and the army is trying to wear out terrorists. Pak admitted that Ajmal Kasab belongs to Pakistan. Defence Minister Sh. AK Antony expressed apprehension about stepped up infiltration in J&K. Governor of J&K Sh. N.N. Vohra reconstituted Amarnath Shrine Board.
- Jan 8: Two more civilians arrested for helping ultras even as the Army called off the Bhati Dhar operation as all holed-up terrorists reportedly escaped. Two LeT over ground workers were arrested in Pulwama. 25 crossed Kaman Post but no fresh guest from PoK. Inaugurating Pravasi Bhartiya Divas programme at Chinnai, Prime Minister said that terrorists won't be allowed to destabilise economy.
- Jan 9: Even as Army called off Bhati Dhar operation many civilians went underground for helping terrorists amidst reports that the area was used by terrorists for last five years. After elections, Hurriyat says that it was ready to shun rigidity. Sh. Omar Abdullah said that the government would facilitate talks between the centre and separatists.
- Jan 10: Police recovered two grenades and 10 pistol rounds in Kandi sector of Rajouri. A CRPF jawan held after killing his colleague in a camp in Anantnag. Sh. Pranab Mukerjee ruled out Israel type action against Pakistan as there are reports that Pakistan has wound up indentified terror camps and relocated other camps.
- Jan 11: A girl forced to marry by ultras earlier was rescued. A CRPF cop was held with poppy. Nasir Safi Mir, alleged financial brain of Hurriyat, has reportedly fled from India on forged passport. Sh. P Chidambaram said that Bangladeshis have no business in India.
- Jan 12: A territorial Army jawan was injured in an encounter in Dachan, Kishtwar. 100 people crossed LoC at Chakan-Da-Bagh. Jammu police display seizures including arms and ammunition in one month long operation in the district. 32 people including HUJI terrorists and OGWs were arrested during the operation,.
- Jan 13: Two top ultras of HM and two cops were killed in a encounter in Kalakote while two OGWs were arrested with Hawala money in Thathri, Doda. Three civilians were injured as terrorists made an abortive bid to blow up a CRPF bunker in Batmaloo, Srinagar.
- Jan 14: One time HM Chief Commander and presently Coordinator of four terrorists outfits, Ahsan Dar was arrested in Bandipore. Dar had recently warned Pandits not to return to Valley if they were unwilling to join freedom struggle. Police recovered arms and ammunition in Poonch. There is unlikely release of any Pak terrorist as intelligence agencies go tough on foreigners. Army Chief said that all options including war were open but final decision vests with the political leadership.
- Jan 15: An Al Badar Commander was killed in Handwara and four OGWs were arrested in Kangan. An Ex-HM Comdr was arrested in Kishtwar. Five of a family cross over to PoK in Poonch while 29 cross LoC in Karvan-e-Aman. GoC Northern Commander Lt. Gen. P.C. Bhardwaj said that 800 terrorists were active in J&K.
- Jan 16: A minor boy was killed in a blast in Gursai, Mendhar. Police is going to identify illegal immigrants for deportation as Intelligence Agencies go hard on Bangladeshis. Sh. Pranab Mukerjee said that Pak must handover suspects to India as there is no dilution on extradition.
- Jan 17: One person was killed and another injured as they were boiling scrap and explosion took place at Jaganu, Udampur. Three cops were arrested for extortion. Two persons from Mumbai were held with Switzerland gold in Jammu. The reports suggest that number of women are being trained in PoK for terrorist activities. Pak said that Indian evidence gives good clues on Mumbai terrorist attack. Sh. Pranab Mukerjee said that easing tension with Pakistan will take time.
- Jan 18: A top LeT Comdr was arrested in Bhaderwah, Doda. A cop was injured in an accidental fire in Loran, Poonch. On the eve of Holocaust day Panun Kashmir organised a community meet at Jammu.
- Jan 19: Five Bangladeshis were arrested in Niki Tawi area of Jammu. The tension between India and Pak led to cancellation of many cross LoC visits as only 45 freshers changed sides at Chakan-da-Bagh. India asked for zero tolerance to terrorism scourage. Pandits organised various programmes across the country to observe 19th Nishkasan Divas.
- Jan 20: Vegetables exported to PoK via Chakkan-da-Bagh, New MLAs took oath.
- Jan 21: After Kerala, Andhra Youth's involvement surfaces in terrorist activities in J&K as an LeT operative Abdul Sattar of Kerala conferred of sending youths from the twin states to J&K. Traders from Poonch received fruit etc. from PoK.
- Jan 22: Two powerful IEDs were detected and defused in Budhal and Kandi areas of Rajouri. 22 cross sides at Kaman Post. Militant groups in Pak are reportedly reassessing their Kashmir policy.
- Jan 23: Police gunned down a top HM Commander and his associate in a major gunbattle in Batyas forests in Gandoh and recovered huge quantity of arms and ammunition. Police claimed to have arrested a youth including a Sikh youth Popinder Singh of Chowgal Handwara for terrorist activities and recovered hand grenades from the Singh's residence.
- Jan 24: Two LeT terrorists were killed in Handwara.
- Jan 25: On the eve of Republic Day, forces foiled an infiltration bid in Kanachak sector. Forces destroyed a 10'x8' underground terrorist hideout near National Highway at Sher Bibi in Ramban, Police recovered arms and ammunition in Thannamandi, Rajouri. Union MoS Home Sh. Shakeel Ahmed accused Pakistan of mobilising funds for armed campaign in J&K. Two Pakistani terrorists were short dead in Noida.
- Jan 26: Republic Day functions passed off peacefully in the state as Governor Sh N.N Vohra described People's support must for eradicating militancy. A BSF jawan was murdered by his wife and son-in-law in Mendhar, Poonch.
- Jan 27: A terrorist was killed and a Security Force Personnel injured in two different encounters in Sopore and Handwara areas of Kashmir.
- Jan 28: Four terrorists including two LeT Commanders and two jawans were killed in three major gunbattles in North Kashmir. Four security personnel were also injured in these encounters.
- Jan 29: Police arrested two hawala operators and recovered Rs 2.20 lakh rupees from their possession in Rajouri. Heroin, fake currency and weapons were seized on Indo-Pak border in Attari sector. Nawaz Sharief asked for resolution of Kashmir as per Lahore declaration as a Hurriyat delegation met him in Pakistan. After 14 years, Police arrested an HM Commander Zahid Saroori, allegedly involved in R-Day blast in 1994, in Kishtwar.
- Jan 30: Two cops were detained and flown to Mumbai in connection with illegal narcotic trade involving a IPS officer of JK Cadre. India asked Pakistan to respond to dossier through proper channel.
- Jan 31: A woman, allegedly gangraped by four LeT terrorists in Doda, caught hold of one of the accused and thrashed him in a police station in Doda. Army Chief General Deepak Kapoor described Pak nuke weapons as threat to mankind and said that Army is ready for any mission.

The Boycott Call Failed Miserably-Capt. Tickoo

Captain S.K Tickoo is a retired army officer. After retirement he has participated in politics of Kashmir with intensity and has been witness to tumultuous developments in the state for last more than four decades. He had to leave Kashmir under threat to his life in 1990. He returned to Kashmir scene immediately after the emergence of counter insurgency movement as a guide philosopher to its leaders. He was the guiding force behind the resolve of Kuka Parry, Usman Majid, and Liqat to actually start the democratic process in 1996. This eventually led to the creation of Awami League—a political platform for a bunch of revolutionary young leaders in Kashmir who wanted to weed away terrorism and encourage the Kashmiri youth to shun violence and adopt a democratic path. Capt. Tickoo spent more than two months in Kashmir during the recently conducted elections in the valley. He traveled extensively during the electioneering. Kashmir Sentinel talked to Capt. S.K. Tickoo about his experiences during the electioneering in the Valley. We produce here the excerpts of an interview with him. --Editor



Q. What in your view is the message of the mandate of 2008-9 assembly elections in J&K?

S.K. These elections have been a clear verdict against terrorism, disruptive and secessionist forces in the state. The boycott call failed miserably. Nobody across the spectrum even among the separatists could raise a doubt about the genuineness of these elections. The allegations of security forces forcing people to vote were also conspicuous by their absence.

Q. There was a protracted campaign by the cross section of separatists to boycott and analysts were very skeptical about a reasonable turn out. What actually happened on the ground?

S.K. Analysts in rest of India are usually wrong about the ground situation in Kashmir Valley. Despite the heat generated by the Amarnath issue nobody in Kashmir believed that the boycott call would succeed. The first phase of elections in Bandipora, Sonawari and Gurez constituencies clinched the issue. To hold elections in these constituencies at the very outset was a master stroke. The efforts put in by Usman Majid and Parry family in Bandipora and Sonawari to mobilize people against terrorism and in support of democracy has been phenomenal. With a huge turn out of voters in the very first phase the boycott call got buried.

Q. Some people say large number of Kashmiri Pandit candidates forced the separatists to withdraw the boycott call. Is it true?

S.K. It is farthest from truth. The number of candidates who jumped into the election fray has been perhaps the highest this time which included a large number of Kashmiri Muslim independent candidates. I traveled to the remote areas and highlands before the elections. In such remote places previously people used to ask who the candidate of NC, Congress or PDP would be. This time the buzz was I am the candidate. Everybody of some consequence fancied his

chances. That is why so many independents contested the elections this time.

Q. Some say that the election boycott call was only a bluff by the separatists. After all they came out in support of PDP in a big way particularly the Jamaat. What are your views?

S.K. There was no such bluff. They failed at the very outset. During the electioneering, before the first phase polling they saw the enthusiasm of the people in the elections. This forced them to change the tract. TV coverage of campaigns by the candidates in Bandipora and Sonawari is a clear testimony of the fact. Al Jazeera crew came to Bandipora

S.K. Usman's popularity even after loosing is not in doubt. He got more than 20,000 votes that too when everybody else wanted him to loose. I have no hesitation in saying that even Congress played a dirty role. Without taking Usman into confidence Congress high command declared that Usman was their own candidate. This annoyed that group of voters who favoured Usman but were anti Congress. Peerzada Sayed said on television that Usman was their candidate. Then in a surprise move Congress declared at the last moment Habibullah as their official candidate. This was done so late

very deft strategy by PDP. In Sonawari constituency PDP declared Yasir Reshi as their candidate. He is the nephew of Advocate Mohd Shafi Reshi who is the right hand man of Ali Shah Geelani and secretary of Hurriyat Conference. The Shia PDP leader Iftiqar Ansari fielded his brother Aftab Ansari to cut the Shia Muslim votes. An impression was generated among voters that Imtiyaz may loose any way. If Reshi wins it will be a victory for PDP and if Aftab wins it would still be a win for PDP. Polarizing fundamentalist voters and weaning away Shia voters was the key to success for PDP.

S.K. Money was used as freely as it is used in any other part of India. At many places 1000 and 500 rupee notes were used to woo the voters. About Mufti Mohd Sayed it was widely rumoured that in the last night of campaigning in Anantnag he distributed lakhs of notes to woo the voters. Surprisingly when this was brought to the notice of PDP leaders instead of refuting the allegations they tried to justify the same by saying that NC was also doing the same. It was being said in valley that the Pandit candidates contesting used money and also earned money. About the Lok Jan Shakti Pandit candidate from Srinagar it was widely rumoured that even after spending money he saved 4-6 lakhs. We heard that money was distributed even at migrant polling booths at Jammu. 1000 rupee notes used eventually in many cases turned out to be fake.

Q. What do you think about Hurriyat stance that people came out to vote for Bijli Pani and it is not a mandate against separatism?

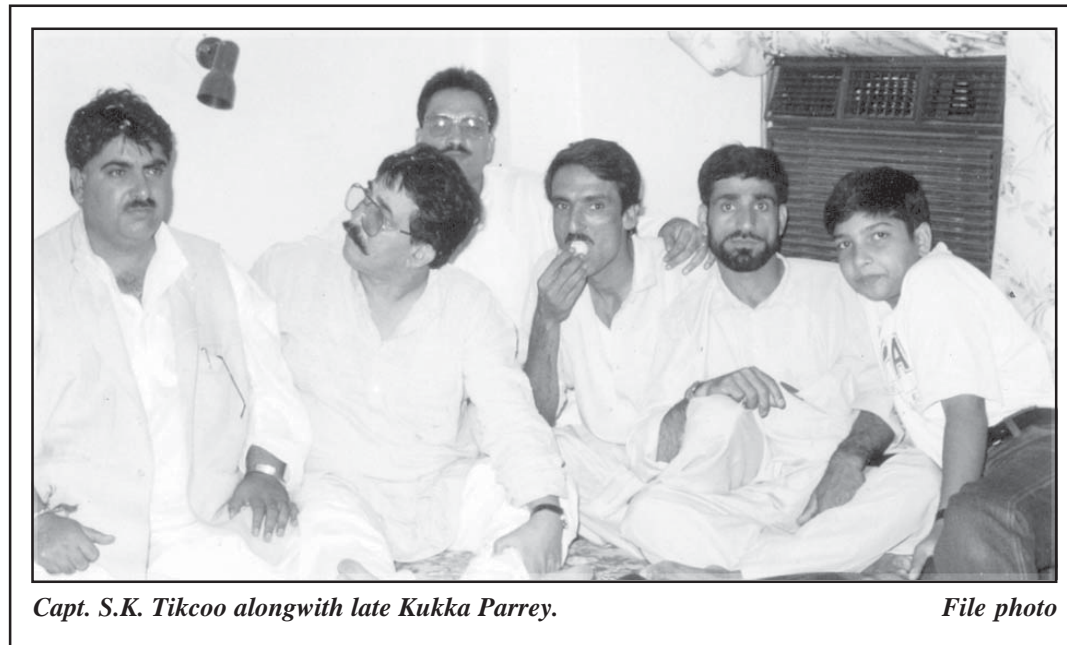
S.K. They are only befooling themselves. Elections are guaranteed to us by Indian Constitution. Otherwise we cannot have them. All assembly elections are contested on the issues of Bijli Pani. People of Kashmir know these things more than anybody else.

Q. Why did fundamentalists of various hues support PDP?

S.K. Jamat decided vote for PDP. The intelligentsia in Kashmir, including bureaucrats, lawyers and teachers have predominantly the Jamaaj influence. They mobilized the fundamentalist quarters to vote For PDP.

Q. Do you think that the new coalition at the helms in the state has any lessons to learn from these elections?

S.K. NC has to decide whether it has to continue speaking the same language as PDP. They have to realize that Kashmiris no longer like the ambivalent language. First consignment of goods from Muzaffarabad sold out in no time. But we have no takers for the same goods in Kashmir now. Competing with PDP will only suit PDP and not NC.



Capt. S.K. Tickoo alongwith late Kukka Parrey.

File photo

and talked to me. They told me that they were dissuaded by local media and separatist rank and file from going to Bandipora. They were told that there would be a total boycott in Bandipora. In Bandipora at a place like Arin which is considered to be a stronghold of terrorists they saw women, children and old dancing and singing in a traditional Kashmiri style election campaign. They said that they were stunned by the peoples' response in favour. Newspapers openly predicted that Usman would win. This forced Jamaat to abandon their boycott call and openly canvass for PDP.

Q. If there was such a support for Usman then why did he loose?

that Habibullah did not get the clearance papers from the Congress high command and the poor fellow had to file his nomination papers as an independent. In case of Hassan Mir and Haqim Yasin Congress did not field any candidate but they also did not declare them to be their own candidates. Eventually Habibullah got 15033 votes and Usman lost by a margin of 800 votes.

Q. There was a hope that Imtiyaz Parrey the son of Kuka Parrey will also perform well. He was generating lot of popular support during the election campaign. What happened in his case?

S.K.: Dont have any doubts about the popularity of Parrays in Sonawari. Imtiyaz lost to a

The way the results were announced also raised some doubts about some hanky panky. After the elections a particular polling percentage was declared in the evening. The same was confirmed by the Divisional Commissioner the next day. But after two days it was officially confirmed that the polling percentage was actually more than 10% higher. How did it happen? Sonawari is not a big constituency stretched into remote areas whose voting percentages were not available. In an age of electronic voting such discrepancies do raise doubts.

Q. Nowadays money is used in a big way in elections. What has been your experience in this regard in valley?

