

Kashmir Betrayed, People humiliated

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The people of Jammu and Kashmir had opted to become part of secular India rather than the Muslim Pakistan not simply by virtue of the Instrument of Accession which is the legal basis of the association, but more importantly because of those promises of building a pluralist, secular India in which the people of J&K were to have a very special status and maximum autonomy. Those promises were contained in Article 370 of the Indian Constitution and in the Constitution of J&K itself. These are constitutional obligations without which the Instrument of Accession itself is rendered meaningless.

But unfortunately those constitutional guarantees were gradually eroded there by providing an opportunity to those who have been against J&K's accession with India, to fish in troubled waters.

And since 1990 Kashmir has witnessed cycles of violence which caused massive death and destruction. The region has undergone many tragedies during this period. When the subcontinent was burning due to communal riots at the time of partition in 1947, not a single incident of communal violence was reported in Kashmir. However, unfortunately, in 1990 that proud legacy of secular identity of Kashmir got blurred, when the minority community had to leave their homes out of fear.

Since then there has not been any major breakthrough to address the massive political unrest, though elections were held and resolutions for restoring eroded autonomy to the state were adopted. But unfortunately these efforts did not succeed.

However, on fateful day of August 5 last year, through a massive crackdown, the whole political legislators and civil society activists were arrested and the whole valley was virtually turned into big prison. Massive restrictions were imposed and all the communication was shut down. And here in Parliament BJP government brazenly and unconstitutionally scrapped J&K's special status under Article 370 and downgraded the erstwhile state into two Union Territories.. The state was divided under J&K Re-Organisation Act-2019 much to the shock of people of Kashmir, Jammu and Ladakh.

A delimitation commission was set up in March despite the fact that by an amendment to Jammu and Kashmir Representation of the Peoples Act 1957 and Section 47(3) of the Constitution of J&K made in 2002, the Assembly had decided to freeze the delimitation exercise till 2026. Even in 2010, the Supreme Court upheld the freeze imposed by J&K Assembly on delimitation. This exercise is being perceived as an attempt to reduce the number of assembly seats from the valley.

While the whole world, country and J&K was grappling with Covid-19 pandemic, the Center in an undemocratic and arbitrary manner passed new Domicile Rules to disempower the people of the region. The dominant perception across the erstwhile state

remains that the new notification is a ploy of the BJP to change the demography of the region and further disempower and dispossess the people politically, economically and culturally.

Until J&K was stripped of its special status and bifurcated into two UTs, Article 35 A of the Constitution empowered the state assembly to define a J&K resident. Only J&K residents were eligible to apply for jobs or own immovable property in the erstwhile state.

Not only people of the Valley, but residents of Jammu and Ladakh regions too have become apprehensive about the new domicile law. There is deep shock and anger among all sections of the population.

With central law on land acquisition being extended to J&K, the administration has withdrawn a 1971 circular that required a NOC from its Home Department for accusation or requisition of land in favour of Army, BSF, CRPF and other similar organizations. This is bound to deepen the unrest among the population.

The only thing, the revocation of Article 370 has achieved so far is a complete abrogation of democracy in JK and unconscionable suppression of civil and democratic rights. Indiscriminate use of draconian laws like UAPA, Public Safety Act etc has made the lives of the people particularly the youth miserable. Such measures and exclusive reliance on security forces has virtually sundered any relationship between the people of Kashmir and the Indian state.

One year down the line, the facts belie the claims of Modi and Shah regarding development of the region. The BJP government was claiming that Article 370 hindered development in J&K. One can ask how much development has happened since then. Where is investment, and job opportunities which they claimed?

Forget about development and creating new employment opportunities, thousands of daily-wagers, casual labourers, scheme workers and others have been denied wages for the months together. The BJP, which is in power for the last more than six years has been boasting about development in J&K, but has not been able to repair a patch from Ramban to Ramsu on the national highway. The J&K administration has miserably failed on every scale to provide basic amenities to the people.

The economic, social and political impact of the post August 5 actions of the BJP government have been disastrous. During this one year period of lockdown, loss assessment report of Kashmir Chamber of Commerce and Industries (KCCI), Valley's economy has suffered a whopping Rs 40,000 crore losses. The Jammu economy also suffered huge losses during this period. Several lakh job cuts in the private sector were reported during this period. According to a report J&K's unemployment rate is almost twice that of the national average.

The stakeholders of the tourism industry are traumatized. All hoteliers, houseboat owners, transporters, shikarwalas, shopkeepers, ponnywallas, tourist guides and all agents related

to tourism are economically shattered and have turned jobless. Pilgrimage tourism in Jammu region virtually got collapsed. The livelihood of thousands of people associated with pilgrimage tourism got shattered.

Thousands of artisans in the Valley are without work since last August 5. The communication blockade and the overall shutdown, leading to fall in tourists visiting the Valley, came as a blow to the handicrafts industry which has been reeling under huge losses post August.

Survival of lakhs of people associated with Horticulture sector is at stake . People associated with this sector constitute a considerable percentage of employment in the region . The horticulture suffered massive losses due to early snow fall last November . The frequent closure of Jammu & Kashmir NHW disrupted the smooth transportation to outside markets . In Jammu Basmati and vegetables growers suffered huge losses because of heavy rains and non accessibility to markets

The allotment of mining contracts on rivers flowing through JK and the tributaries to non-locals is another blow to thousands of sand diggers, labourers, small contractors and transporters who are directly or indirectly associated with the extraction of minerals. They are in danger of losing their livelihood.

The continuous suspension of 4G internet service has disturbed the students leaving them in a state of despair. The curbs on 4G internet continue at a time when the Prime Minister claims to envision transforming the nation and creating opportunities for all citizens by harnessing digital technologies through the Digital India initiative.

New media policy framed in June this year is an attempt to throttle freedom of speech and expression which has spread unease amongst the journalists working in the J&K. The policy has been framed with an aim to give the government a free hand to muzzle freedom of press. Authorities use a mix of harassment, intimidation, surveillance and online information control to silence critical voices and force journalists to self-censorship.

Families of local slain militants are denied to perform last rites of their kin and instead the bodies are buried in distant unmarked graves is unfortunate.

The BJP government's claim that militancy will end by abrogation of Article 370 is contrary to the facts. Despite claims of a number of militants getting killed, new local youths are reportedly joining their ranks. Reports of infiltration continued to pour in. LOC continues to remain disturbed.

Reality is that whatever was done with J&K on August 5 last year, is part of a larger project of the RSS to establish a Hindu Rashtra. Secular democratic forces must realize inherent dangers and work unitedly for broader resistance against this unprecedented assault on the achievements of our freedom movement.