

The Myth of “Kashmir Problem”

Compiled by
Kiran Kumar S



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Preface

Jammu and Kashmir is an integral part of Bharat. This is the factual and legal status of the state of Jammu and Kashmir. On 20th February 1994, Indian parliament also had resolved that the entire Jammu and Kashmir including the parts that are illegally occupied by Pakistan and China, are part of Bharat. Despite this, we hear different opinions from different groups of people in our public discourses. Even the Union Government talks of autonomy, removal of AFSPA during the discussions related to Jammu and Kashmir. There are special packages announced to the state, only to pacify the separatists and political leaders of the state. There are talks with the separatist leaders. Many leaders too call it as 'Kashmir problem'!

All these aspects confuse the citizens of India regarding the facts and 'problems' in Jammu and Kashmir. So, what is the real status of Jammu and Kashmir? Is it a conditional accession and have we promised a plebiscite in the UN? Does the entire population of Jammu and Kashmir have a separatist mindset? Why has the article 370 not been removed till today, though it was a temporary measure? Is AFSPA really required? Is there really a 'Kashmir problem'? – There are many more such questions in the minds of the people.

We, at Jammu Kashmir Study Centre are working to understand the whole issue better and deeper. As our study progressed, we realized a lot of new facts which were not there in the public discourse till recent times. Most of the discussions and debates in public forums were happening based on biased opinions and false propaganda, rather than on facts! Discussions were more on emotional grounds rather than on the legal and historical evidences!

So, we realized that the 'Kashmir problem' is a myth that was created by separatists, Jammu and Kashmir politicians and Union Governments to protect their vested interests. It was very clear that the facts were hidden and a nonexistent 'Kashmir problem' was created and people were made to believe that the whole state has some problem and the accession is conditional and so on.

This book is an effort to give factual and unbiased information to the general public on the topic of Jammu and Kashmir. It is in the form of questions and answers, so that it can be a quick reference for the readers.

The information compiled here is based on the discussions with Jammu and Kashmir affairs expert Sri Arun Kumar. Sri Kiran Kumar S, member of Jammu Kashmir Study Centre, Bangalore chapter has compiled this book. We would like to thank both of them for their contribution. We would also like to thank Sri Akshay Hegde for designing the cover page and Rashtrottana Mudranalaya for printing it on time.

Hope this will be a good read and helpful for the readers to understand Jammu and Kashmir better.

Jammu Kashmir Study Centre, Bangalore
2nd October 2013

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How Much Do You Know About "The Kashmir Problem" ?

Over the past 65 years, an image has been created in India that Jammu and Kashmir state, or just Kashmir as the media usually refers to, has been a big problem. It has been projected as a "special state", a state that "does not want to be with India", a state that is different from other states that formed India, a "Muslim state" and much more.

But the reality is very different. This set of questions and answers, based on Sri Arun Kumar's talks in Karnataka, will give you a good sense of the reality. Since Jammu and Kashmir has been a victim of imperialistic geo-political game since 1940s and of Islamic Jihadi terrorism right from 1947, a lot has been written with those two issues in mind. Also, most of the "expert" material being propagated via books, audio, video, movies and papers, is usually based



Vaishno Devi Temple surrounded by snow peaks {Image: groupbookings.in}

upon the British initial write-up on this state during 1940s and 1950s.

Let's understand the reality from a totally different angle. Sri Arun Kumar of Jammu Kashmir Study Center (Website: <http://www.jammukashmirnow.com/>) has been educating us on the real issues, and the real solutions. This set of Q and A will help you get the Bharatiya or Indian Nationalistic perspective of this "problem". The Q and A will be presented in multiple parts.

History, Legality and Accession of Jammu and Kashmir to India

Watch these for clear details on the Jammu and Kashmir history and accession topic:

<http://www.youtube.com/watch?v=nWQByoyEtQU>

and

<http://www.youtube.com/watch?v=hfQh1dg07-I>

What are the top three myths being propagated regarding Jammu and Kashmir?

The first one is that Article 370 gives Jammu and Kashmir a special status. The second one being Jammu and Kashmir is a disputed state. The third one being Jammu and Kashmir is just Kashmir and a separatist state.

Why do people in India and outside, talk about plebiscite in Jammu and Kashmir?

The typical answer is that India has given a commitment to the people of Jammu and Kashmir for ascertaining their wishes at UNO. The fact is that the commitment was just the policy of Govt. for all the princely States in 1947, and the commitment was already fulfilled by India in 1950s itself.

Has Pakistan ever claimed Jammu and Kashmir as its legal territory in any international forum?

No. It has not and it can't. Because the legal accession of the state is with India, as per the 1947 procedure that nearly 600 princely states and provinces followed, while choosing between India and Pakistan.

Has any UN resolution ever challenged the accession of Jammu and Kashmir with India?

Never. To have clarity on this issue, everyone should read the most important speech by an Indian at UN, clarifying everything that needs to be clarified, read VK Menon's historic speech (longest ever in UN history) details here -> <http://www.jammukashmirnow.com/jammu-kashmir-in-un/vk-menon-speech-in-security-council>

Did Jammu and Kashmir follow any special route to join India that is different from other states?

No. It followed the same rules, regulations and paperwork that Mysore, Gwalior, Patiala, Cochin and many other states followed. When all these states have no problems within India, why should Jammu and Kashmir have a special problem?



Jammu and Kashmir State {Image: Wiki}

What was the title of Maharajah Hari Singh in 1947?

"His Highness, Shriman Inder Mahinder Rajrajeshwar Maharajadhiraj Shri Hari Singh ji Bahadur, Jammu Kashmir Naresh, tatha Tibbat aadi deshadhipati" - means the ruler of all these regions. Parts of Tibet were also a part of his state.

Did British India recognize Maharajah Hari Singh's title and state boundaries?

Yes. Whenever the British called the Maharajah, they called him with the full designation as the ruler of Jammu, Kashmir, Ladakh and Tibet.

Is Kashmir the entire Jammu and Kashmir?

No way. Presently Jammu and Kashmir is a state of 1, 01,000 square Kilometers. 59,000 sq km is Ladakh. 27,000 sq. Km is Jammu. Only 15,000 sq km is Kashmir. Kashmir is the smallest region, and just one of the three regions. That's mostly in the 160 KM by 60 KM of populated area, in the shape of a bowl. It's like any other big district in any State. , like Mysore. Two of the three regions of the state covering 85% of the area, are Hindu and Buddhist majority regions.

Is Ladakh a Muslim region?

No. Four out of the five valleys in Ladakh are Buddhist majority valleys. Nubra, Changthang, Leh and Zaskar are 80 to 90% Buddhist population. Only the fifth valley, the Suru Valley (Kargil) is Muslim majority, that too Shia Muslim and not Sunni sect which is in majority in Kashmir valley. Only 40% of the people of Ladakh are Muslims.

Is Jammu a Muslim region?

No. 70% of Jammu are Hindus. It's a Hindu majority region of Jammu and Kashmir state.

What exactly is happening in Jammu and Kashmir for 65 years?

There's a constant battle between Rashtra vaad and Alagavaad. This is a fight between the nationalists who are in majority in most of the areas of the state with separatists having influence in only 5 districts restricted to the Kashmir valley of the state. And because the majority are nationalists, Jammu and Kashmir is firmly within India. And come what may, nationalism will not lose even in the future also, in spite of big foreign funded odds and mishandling by Union Government against it.

What is the composition of different sects of Muslim population in Jammu and Kashmir? What are their attitudes?

14% of them are Gujjars. There has never been a separatist leader from that community. 8% are Pahadi Rajput Muslims and 10% are Shia Muslims. Not a single separatist leader from any of these three communities forming 1/3rd of Muslims of Jammu and Kashmir.

Talking about the origin of issues in Jammu and Kashmir, was Bharat (India) partitioned in 1947?

No. The partition was technically that of only British Dominion (65% of the area of Indian subcontinent).

What was India's composition in terms of governance during British rule before 1947?

The British ruled 65% of India having 75% of the population, directly. That was known as British Dominion. The remaining 35% was ruled by Indian rulers, known then as princely states. Some examples include, Mysore, Cochin, Patiala, Saurashtra, Jammu and Kashmir, Baroda were some examples. This 35% of India, in the form of princely states, had treaties with the British.

In the India Independence Act of 1947, which provinces of British India were designated as the new dominion of Pakistan?

According to Section -2 of India Independence Act, territory of the Pakistan shall comprise -Sindh, West Punjab, East Bengal, North West Frontier Provinces and the Sylhet district of Assam. The rest was termed as Indian dominion.

Who represented on behalf of British crown to the rulers of the princely states of India during the 1947 partition discussions?

Lord Mountbatten represented all the princely states, forming 35% of India, terming himself the representative of the crown of British Queen.

What did Mountbatten tell the 35% of India, ruled by Kings and Princes?

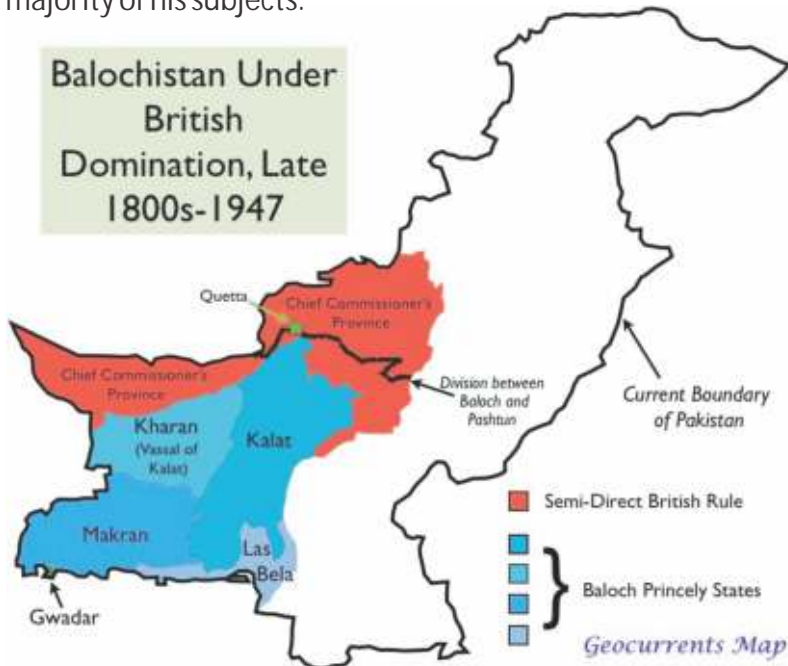
The treaty between Britain and the princely states is over. There was lapse of paramountcy, after the treaties would end also guarantee of Suzerainty. Technically they are Independent, but on ground realities, it was in their interests and also interest of their subject to choose between any of the two dominions.



Junagadh location map. {Image: Swaminarayan.org}

What was the advice given by Lord Mountbatten, as a British Queen's representative put to all the Princely states ruler of India (35% of India) before deciding about final decision?

You can accede to India or Pakistan, but two considerations. First, your state must have contiguity in boundary with the dominion that you want to accede to. Secondly, the ruler must keep in mind the wishes of the majority of his subjects.



Can we compare Hyderabad and Junagadh's reluctance to join India, with that of Jammu and Kashmir's reluctance to join Pakistan?

No chance. Hyderabad and Junagadh had no contiguity of borders with Pakistan at that time.

What did Hyderabad do when the ruling Nizam wanted to join Pakistan, but could not due to non continuity of border?

He applied to 7 nations and UNO to recognize Hyderabad as an independent country. But there was no provision in the India Independence Act of 1947 for independence. Hence even Britain did not yield to the Nizam's request.

Did the Nawab of Kalat, a majority area of Baluchistan in today's Pakistan, make an offer to accede to India in 1947?

Yes. Sardar Patel, India's Deputy PM, refused the offer stating that India does not have continuity of border with Kalat.

Then Kalat's Nawab even made a case that East Pakistan and West Pakistan have no continuity of border. Kalat in Baluchistan can be the West Hindustan (India) the same way. But Sardar Patel still refused saying that the East and West Pakistan were definition of dominion of Pakistan per India Independence Act. For the sake of accession, continuity is a compulsion and hence Kalat cannot join India.

Should Muslim majority Jammu and Kashmir have gone to Pakistan as the partition of India was based on Hindu and Muslim population?

No. Since it was not a part of British Indian provinces, British never dictated that it should go to Pakistan. The choice was with the Maharajah of Jammu and Kashmir, just like other 500+ Kings and Princes across Bharat and even there was no voice of dissension among majority of people of his state against him. Also, his decision of accession was supported by only the political party of Kashmir valley under the leadership of Sheikh Abdullah.

Give us an example of a Hindu majority state joining Pakistan.

Adjacent to Jodhpur and Jaisalmer of Rajasthan in India, there was a state called Amarkot, in today's Sindh, Pakistan. Amarkot was 90% Hindu during 1947 and still Hindu majority. Raja was Rana Chandra Singh. Ruler was Hindu and State was also overwhelmingly Hindu majority. Amarkot was also the place where Mughal emperor Akbar was born in 16th century.

Then why did Jinnah and his Pakistani subsequent rulers keep talking of Muslim majority Jammu and Kashmir should belong to Pakistan?

That's hypocrisy. If they truly believed that way. Amarkot state in today's Sindh, Pakistan, should not have been allowed to accede to Pakistan when the King was a Hindu and the population was 90% Hindu. Also, the state had continuity of border with India's Rajasthan state. Not only Pakistan accepted accession of Amarkot due to its ruler's personal decision, they also renamed it as Umarkot immediately to give it a new Islamic name!

What does Amarkot's accession into Pakistan tell us?

The sole prerogative of accession as per India Independence Act 1947 was that of the ruler of the state with

whom British had a treaty till 1947. No one else, not even the people of the state had any decision making capacity. Or else, Amarkot with 90% Hindu population would not have joined an Islamic Pakistan.

When did Jammu and Kashmir state accede legally with India?

On 26th October 1947, using his prerogative granted by the India Independence Act 1947, the Maharajah of Jammu and Kashmir state acceded with India by signing on the same kind of instrument of accession document that 500+ other rulers did.

Visit this site for all the accession document information:
<http://www.jammukashmirnow.com/accession-of-jammu-kashmir-2/instrument-of-accession-of-jammu-and-kashmir-state>

Was Jammu and Kashmir's accession with India conditional?

Absolutely not. It acceded just like how Cochin, Saurashtra or Mysore acceded to India. No conditions what-so-ever. It was a full and final accession as per the India Independence Act 1947. The instrument of accession was prepared by the Ministry of States of Government of India, and it was a standard form for all the states. And under the act, even there was no provision of conditional accession.

Is there any dispute on the accession of Jammu and Kashmir with India?

None. It was a legal accession and finalized on 26th October 1947 and also signified by the Governor General Lord Mountbatten. That day Jammu and Kashmir became India permanently.

Extract from the Government of India Act 1935:-

(1). A State shall be deemed to have acceded to the Federation if His Majesty has signified his acceptance of an Instrument of Accession executed by the Ruler thereof, whereby the Ruler for himself, his heirs and successors.

Indian Separatists and Pakistanis nationals talk of Lord Mountbatten's letter about wishes of the people of Jammu and Kashmir. What's that?

Note the simple fact. A letter was never a legal document per India Independence Act 1947. Also, Mountbatten's letter was not written to Maharajah Hari Singh exclusively. It was written to every princely state's ruler, just because it was the policy of Congress Government.

What were the contents of Mountbatten's letter in 1947?

It was only a letter discussing the policy of Congress Government at that time that was for all states including Jammu and Kashmir. Under the procedure accepted, every state was to setup a constituent assembly to ratify the accession with India or Pakistan. Also, the constituent assembly was supposed to work to extend the union constitution of India or Pakistan, into the state being acceded and make their own constitutions.

Did Jammu and Kashmir Assembly ratify the accession with India like all other states?

Yes. On 6th February 1954, Jammu and Kashmir's elected people's legislative assembly ratified the legal accession document signed by the Maharajah of the state in 1947. With that India as well as the Jammu and Kashmir state kept the

commitment given to Lord Mountbatten, the representative of British crown, fully.

Why is Jammu and Kashmir issue always linked to just four historic people?

That's the tragedy of history writers. The need of the hour is to keep Jammu and Kashmir out of Lord Mountbatten, Jawaharlal Nehru, Maharajah Hari Singh and Sheikh Abdullah stories. There is a lot more to Jammu and Kashmir than these four people. We should precise our debates on legal documents only, as Integration and Accession were legal procedures. Legal Documents related to Jammu and Kashmir are given below:-

- 1) India Independence Act read with Cabinet mission plan of 1946 and representation to Chamber of Princes by lord Mountbatten on behalf of British Crown on 26 th June 1947.
- 2) GOI Act 1935 amended in 1947.
- 3) Instrument of Accession with acceptance by the Governor General Lord Mountbatten.
- 4) Proclamations of 5 march 1948 - By Maharaja Hari Singh.
- 5) Proclamations of 21 June 1949 - By Maharaja Hari Singh.
- 6) Proclamations of 25 Nov. 1949 - By Yuvraja Karan Singh.
- 7) Proclamations of 1 May 1951 - By Yuvraja Karan Singh.
- 8) Article 370 of Constitution of India.

In 21st century, which are the legal documents necessary for a debate on Jammu and Kashmir?

There are eight legal documents on which the entire matter can be debated and settled.

Refer to this website for more information on all of them: -
<http://www.jammukashmirnow.com/legal-documents>

If Jammu and Kashmir acceded to India legally, and the people of Jammu and Kashmir ratified this through their elected representatives in their assembly, why did India go to UN before the ratification?

India went to UN under the UN charter article 35. That was regarding the aggression of Pakistan on some parts of Jammu and Kashmir, and never about the legal status or accession of the state with India, or any dispute with Pakistan.

What were the key UN resolution items after the Pakistani aggression was discussed there?

The first of the six points in the UN resolution was – The unconditional withdrawal of troops sent or maintained by Pakistan, from all parts of Jammu and Kashmir. That was because UN clearly decided that the presence of Pakistani troops on any part of Jammu and Kashmir was illegal.

What did UN say as the second point of the resolution?

They said that Azad Jammu Kashmir government and Azad Jammu Kashmir Forces (both in Pakistan Occupied Jammu Kashmir or PoJK for short), must be disbanded. Both were illegal.

What did UN say as the third point of the resolution?

The territorial integrity of Jammu and Kashmir should be fully restored. It should be one entity like how it was during Maharajah Hari Singh's rule on 15th August 1947.

What did UN say as the fourth point of the resolution?

Those displaced from their homes in Mirpur, Gilgit, Baltistan, Muzaffarabad etc. under Pakistan's illegal occupation, must be settled back in their homes. There were 2,00,000 people who ran to Jammu and Kashmir regions that were under Indian governance in 1947, due to communal and violent attack by Pakistani tribes and Pakistani army.

What did UN say as the fifth point of the resolution?

India would maintain the required number of forces. This by far explains that there was no dispute in Jammu and Kashmir's legal status. Wherever there is a dispute in the world, UN forces will be deputed, not one of the contending party's army. By asking Indian army to stay in Jammu and Kashmir, UN clearly told everyone that Jammu and Kashmir is 100% India. Also note here that UN said Pakistan must withdraw its forces, and only India must maintain its army, not a joint army.

What was the final point of UN resolution, which talked of plebiscite in Jammu and Kashmir?

Plebiscite was always India's internal commitment to the people of Jammu and Kashmir. UN only asked if that could be conducted under UN supervision. India gave its consent to a UN appointed Plebiscite commissioner, but he was to perform his duty under the Jammu and Kashmir government.

What did India put as a pre-condition to a plebiscite point in the UN resolution?

India put a pre-condition before accepting the UN resolution. The UN resolution was grouped into three parts. First the ceasefire part, second the truce part and lastly the

plebiscite part. If Pakistan does not accept part 1 and Part 2, or if Pakistan does not implement those two parts, then the third part of plebiscite was not going to bind India. That was India's position clearly expressed by then Prime Minister Jawaharlal Nehru and accepted by UNCIP Chairman Dr. Lozano. If you will go through two Aide Memories dated 21 December and 22 December 1948, Prime Minister Said while addressing to Dr. Lozano that - "if the Government of India were to accept the Commission's plebiscite proposals, no action could be taken in regard to them until part I and II of the Commission's Resolution of 13th August had been fully implemented". It is on record that Dr. Lozano accepted Jawaharlal Nehru's points.

Why did not India complain to UN about Pakistan not following the UN resolution?

No, India several times tried to bring this matter to the Notice of UNCIP. But despite many complaints by India, Pakistan never implemented first two part of the resolution so in 1953 India closed the chapter and made UN aware of it. In 1972, through Shimla Agreement, both India and Pakistan resolved that they will resolve their difference through bilateral negotiations.

What did India tell UN when closing the case?

Firstly, Pakistan did not complete its commitments per the UN resolution. So India can't wait for unlimited period of time. India had told the UN Security Council in August 1948, that Government of India had adhered to their position in regard to a plebiscite. But in the view of difficulties of holding a plebiscite in its present conditions in Kashmir, other methods of ascertaining the wish of the people should also be explored. Accordingly, India's commitment of

plebiscite was completed via India's legal democratic process in 1954.

And finally, India had observed that out of the 15 members of the Security Council at that time, majority had become allies of Pakistan in the Baghdad pact - Turkey, Iraq, Iran, Argentina, Syria, Italy, Australia, England, and Canada etc. India's point was hence that UN Security Council was no longer an independent forum that could decide impartially, a case between India and Pakistan.

Then what is the most current UN position?

Ask any of the most recent three UN General Secretaries, if there is any dispute in Jammu and Kashmir. Their answer will be no issue in the Security Council. The issue with UN got over in 1964 itself. Besides, by Shimla agreement, we have decided all the issues between both countries will be decided bilaterally, there will be no role for third party.

Give us details of how UN Secretary Generals reacted to Jammu and Kashmir off late?

According to the answers of UN Secretary General to Pakistani media men, during their official visits to Islamabad, first by Butros Ghali in 1991 and by Kofi Annan in 1998 – "According to the UN Charter, if two contesting states signed a bilateral agreement by virtue of peace and normalcy are restored, and the agreement is ratified by the respective parliaments, the role of the Security Council will come to an end".

If India met its original commitment of knowing the wishes of people via 6th February 1954 ratification in the Jammu and Kashmir constituent assembly elected by the people of

Jammu and Kashmir, why do we hear educated people talk of plebiscite even today?

Simple. Due to misinformation campaign by many vested parties all along. Also, due to the lack of information and some devious media agenda of vested channels and people. The plebiscite talk is mainly because of lack of authentic research by academia or nationalist people.

Gilgit Baltistan areas of Jammu and Kashmir

Switching to geography now, please tell something about the beautiful Shaksgam Valley.

This is a northern part of Jammu and Kashmir, adjacent to the Siachen Glacier. This valley is right next to the world's second tallest mountain peak, the K2. Shaksgam valley was illegally occupied by Pakistan along with Gilgit and Baltistan areas since 1947. In 1963, Pakistan simply "gave away" this part of India, to China, for other benefits. This giving away of Shaksgam valley to China was totally illegal.

Watch this video to understand more about this topic:-

<http://www.youtube.com/watch?v=2cOQR1G8WyY>

What were the words used in the 1963 treaty when Shaksgam Valley was given to China by Pakistan?

"This is a treaty between China and Pakistan, for the part of the state of Jammu and Kashmir, contiguous to Xinjiang, presently in the control of Pakistan". This whole treaty is illegal as the state of Jammu and Kashmir neither belongs to China, nor to Pakistan. Even the treaty does not claim that the area being referred to, was a part of Pakistan. This clearly exposes the illegal nature of the treaty.

Has India ever taken China or Pakistan to international forums or courts for Shaksgam Valley?

No, Government of India did register its protest but never voiced it loudly to create pressure internally and Internationally.

Tell us a bit about Gilgit Baltistan (erstwhile Northern areas) of Jammu And Kashmir State.



Gilgit Baltistan Lake {Image: blogspot}

These areas, geo-strategically extremely important for India, are illegally occupied by Pakistan since 1947. Historically, many central Asian invasions to India have come through these areas.

What should be India's best bet to avoid future invasions from central Asian frontier?

Gilgit part of Jammu and Kashmir must be in India's control. The Hindu Kush Mountains between the Khyber Pass and Gilgit should be used as a natural border to avoid any further central or West Asian land invasion.

Why Gilgit Baltistan is so strategically important?

This northern area of Jammu and Kashmir state, had borders with Pakistan, Afghanistan, Tajikistan (close enough),

China (Xinjiang) and Tibet (now China occupied). With this one region, India could have border even today with three nations practically, plus Tajikistan of erstwhile Soviet Union only being 25 KM away.

Why Gilgit Baltistan is so important for India's future?

This area was a part of the ancient silk route, during which time, India had 28% of the World's GDP. India was the world's largest economic power then! This area is the trade meeting point of west Asia, Central Asia, South Asia and East Asia. Gilgit to Iran is 1000 KM by road, which is around the same distance between Gilgit and India's capital Dilli. Gilgit to Russia's capital Moscow is 3500 KM by road. Comparatively, that distance is just 300 KM more than Gilgit to Chennai in south India by road. Basically, Gilgit is an extremely important middle point connecting many regions of Asia with Europe, by land.

Read more on Gilgit Baltistan here: -

<http://www.jammukashmirnow.com/pok/facts-about-gb>

Why central Asian land route is important in the age of flight?

No amount of air or water travel can replace the benefit of rail or road. That's why even Britain proposed a bus from London to Mirpur (in PoJK) with a travel time of 7 days.

What has India lost by losing Gilgit to Pakistan's illegal occupation?

India has lost a land route to central Asia, China, West Asia and then to Europe or Africa. This Gilgit was a part of Indian confederation of states for 1000s of years, particularly during the famous Silk route era.

Is Gilgit important only from land route perspective?

No. This part of Jammu and Kashmir, now illegally occupied by Pakistan, is very essentially for India's economic ambitions and defence. Again, many major invasions of India happened through the history from this region bordering Afghanistan.

What else is Gilgit vital to India for?

In Asia, Tibet and Gilgit-Baltistan areas control most of the fresh water supply. Now that India has surrendered Tibet's sovereignty claim to China, the only other alternative for major water sources is Gilgit Baltistan. Out of the 10 tallest peaks in India, 8 lie in Gilgit Baltistan, now lost to Pakistan. The world famous K2 Himalayan peak, the world's second tallest, is in Baltistan. Gilgit has some of the world's largest Gold deposits. Not



India and Tibet Flags {Image: crossed-flag-pins}

surprisingly, China has taken all the mining rights for those areas from Pakistan now. For energy security, India could lay a pipeline from Tajakistan, under the Tapi Project (Turkmenistan-Afghanistan-Pakistan-India (TAPI). India wants to lay, but Pakistan has been continuously in denial mode in permitting India to do it.

China's Occupation of parts of Jammu and Kashmir

Is it true that India does not have a clearly demarcated boundary with China on the Tibetan side?

Absolutely false. Historically, Tibet and China had no border dispute between Jammu and Kashmir state on the North Western border of India till 1947.

So, when was the border between Jammu and Kashmir and Tibet clearly demarcated?

In 1842, Treaty of Chushul was signed by Jammu and Kashmir, Tibet and China. It has separate signatures of Jammu and Kashmir Maharajah with Tibet, Tibet with China and China with Jammu and Kashmir state.

Were British a party of the Treaty of Chushul?

Yes. East India Company, ruling India at that time, became a party of the Chushul treaty of 1842, in 1846 CE. That way, Jammu and Kashmir, Tibet, China and Britain were all legally a part of a treaty. Clear maps were also exchanged between the parties involved, for a common perception.

Is Aksai Chin, now China Occupied Jammu Kashmir (CoJK), a legal part of India?

Absolutely yes. Aksai Chin is a part of Jammu and Kashmir state, that has legally acceded to India. Till 1947, the Maharaja of Jammu and Kashmir collected revenue from the village of Mansar, the only village in the uninhabitable and harsh Aksai Chin. China never disputed India's claim of revenue (tax).

Did China ever have dispute with India on the western Himalayas in Jammu and Kashmir?

Never. Since the 1842 followed by demarcation of the border by India with Tibet and China, there was never any dispute here. It only talked of the dispute in the eastern part of Himalayas near Arunachal Pradesh.

So how did Aksai Chin become China Occupied Jammu Kashmir (CoJK)?

When China occupied Tibet in 1950s, India accepted that meekly. Then China needed a strategic road from Buddhist Tibet to it's North Western Xinjiang province populated by Uyghur Muslims. That eight-lane expressway now passes through India's Aksai Chin, which is a part of Ladakh region of Jammu and Kashmir state. India slept in late 1950s when this highway was built and only after that China claimed Aksai Chin for their Eastern highway.

What happened in 2013 when China intruded into India on the Ladakh side, just like how it has done many times before?

Read here the step by step detail -> <http://www.jammukashmirnow.com/china/what-happened-in-april-in-ladkah-in-chronological-manner>

Misconceptions about Jammu and Kashmir

What are the most glaring misconceptions about Jammu and Kashmir among the ordinary Indians?

1) Will Kashmir (they don't use Jammu and Kashmir) remain with India? 2) If there's a plebiscite what would happen?

Is the very famous Hindu pilgrimage place Vaishnodevi in Kashmir? Is the beautiful Buddhist Leh in Kashmir?

No. Understand clearly the regions of Jammu And Kashmir State. Kashmir is just a small valley in the middle of the bigger Jammu and Kashmir state.



Jammu and Kashmir is not a Terrorist State {Image : peoplefirstindia.org}

Was the whole of Jammu and Kashmir "burning" after terrorist Afzal Guru's execution?

No. In 17 out of 22 districts in Jammu and Kashmir, there was not a single demonstration, no bandh or curfew. This was the case even in the Muslim majority area of Kargil in Ladakh region, and Poonch in Jammu region.

Is Jammu and Kashmir a "separatist state"?

Absolutely no. The majority in Jammu and Kashmir are proud Indian nationalists.

Is Jammu and Kashmir a "disputed state"?

No way.

Why do even intellectuals think that Jammu and Kashmir is a state with special status?

Misconception. Article 370 does not give Jammu and Kashmir any special status or autonomy.

The Controversial Article 370

Watch this for clear details on the Article 370 topic:

<http://www.youtube.com/watch?v=v6GxvgYrhMg>

What was then PM Jawharlal Nehru's answer to Syama Prasad Mookherjee's question, if Article 370 can even be above the power of the President?

Nehru remarked, "Power does not lie in the constitution, but in the wishes of the people. We should honour the wishes of the people of Jammu and Kashmir". It shows that Nehru did



Sheikh Abdullah with Jawaharlal Nehru {Image: frontline.in}

not have a good idea of the power of the constitution of India that was accepted by 500+ states and provinces.

Was Sheikh Abdullah the choice of the people of Jammu and Kashmir immediately after independence?

No. Even in the 1951 assembly elections, due to the illogical support of Nehru pressurizing the Maharajah Hari Singh, Sheikh became Prime Minister of Jammu Kashmir by manipulating elections. He was not the true representative of Jammu and Ladakh regions that constitute 85% area of the State. During that period, Praja Parishad was the most popular party in Jammu but almost all the nominations filed by Praja Parishad were cancelled. Praja Parishad boycotted the elections. Later on truth came out and 69 Out of 75 MLAs of the State, the ones designated by Sheikh himself, revolted against him due to his dictatorial and anti India personal ambitions.

Was Sheikh Abdullah, the grand father of today's CM Omar Abdullah, a nationalist Indian?

No. He was an opportunist and cunning leader. He had grudges against Maharaja Hari Singh and wanted to dethrone him. He could not face Jinnah so he used Jawaharlal Nehru. He pretended to support the accession of the State to India, but once he captured the power, he showed his colours and betrayed even Jawaharlal Nehru who trusted him. After his own trusted MLAs expressed no confidence in him and dethroned him from the PM seat of Jammu and Kashmir state in India, he tried to go to Pakistan Occupied Jammu and Kashmir to make an announcement of independent Jammu and Kashmir. He was

arrested near Gulmarg. There was a Kashmir conspiracy case going on for many years.

Is Article 370 the main problem when it comes to Jammu and Kashmir?

The Article 370's main purpose was to extend the Indian union's constitution fully in Jammu and Kashmir state, like it was done in every province or state that legally acceded to India in late 1940s. It is the constitutional abuse of article 370 and political fraud under the cover of article 370, that is the main problem.

Read more on Article 370 here ->
<http://www.jammukashmirnow.com/article-370/the-truth-about-article-370-by-arvind-lavakare>

What is the result of Article 370's misuse?

Till 2013, only around 260 articles of the Indian constitution have been extended into Jammu and Kashmir state. Indian constitution in total contains 444 articles in 22 parts, 12 schedules and 118 amendments. Incidentally, India has the world's longest constitution ever written by any sovereign nation in the history of mankind!

Should Article 370 be abrogated?

Yes. It was setup as a temporary measure to implement Indian constitution fully in Jammu and Kashmir. That was the wish of the Constituent Assembly members who framed the constitution of India.

Has Article 370 only affected Jammu and Kashmir?

No. There have been many changes to India's constitution, like Article 35-A, that were amended into the constitution via back door (Presidential orders), without the involvement of India's parliament. This particular Article 35-A has taken away the rights of all Indians living outside Jammu and Kashmir, from living in Jammu and Kashmir, a legal Indian state. Note that this is capital A followed by 35. Even Dr. Rajendra Prasad also written a letter to Nehru and said whether Article 370 even gives constitutional amendment power to President.

Has the People's Representation Act (PRA) of India extended to Jammu and Kashmir?

No. PRA is partially extended, but not in its real form and intent.

India had a complete delimitation of parliament seats in 2002 as per the 2001 census. Did it happen in Jammu and Kashmir?

No. Because of non-extension of the PRA fully, delimitation was not done in 2002 in Jammu and Kashmir. Jammu has 60% more area than Kashmir valley. It has more population and has more votes. But the Kashmir valley Muslims have autocratically delimited earlier and given 46 assembly seats to Kashmir valley but only 37 to Jammu (and 4 to Ladakh). The Indian delimitation commission, which was supposed to set this right, has no jurisdiction in Jammu and Kashmir due to partial extension of PRA of India.

How many votes per Legislative Assembly seat in Jammu and Kashmir?

In 2008, there were 58,000 votes per seat in Kashmir. But

each seat in Jammu has 83,000 votes. Area is also more in Jammu. Kashmiri Muslims with Indian government's active support in Dilli, have fully manipulated democratic rights of the people of Jammu and Ladakh.

Then what's going on for 6 decades under the pretext of Article 370?

What's going on is a political fraud and constitutional abuse using the name of Article 370. This is resulting in the discrimination of ordinary citizen of India in the state of Jammu and Kashmir.

Does Article 370 have anything to do with two flags, two constitutions or denial of property rights for Indians from outside Jammu and Kashmir?

No. These are not directly due to Article 370. They are frauds committed against people of India living outside Jammu and Kashmir, under the cover of Article 370.

Then why did Article 370 come in to effect?

This was an additional provision for the state of Jammu and Kashmir in the constitution of India. Constituent Assembly of India had decided that India would be a federation, states would have their own Constituent Assemblies and the representatives of the people will participate in the constitution making.

Did every state have its own Constituent Assembly?

Yes. Mysore, Cochin, Saurashtra all had their own constitutional assemblies, as per the provision provided for all states.

What exactly was the process of accession to India in 1947?

Since Indian union's constitution was still being worked upon in 1947, when India just gained independence, the new nation accepted the Government of India Act 1935, amended in 1947, as its interim Constitution till the Constituent Assembly completes its task. Every state acceded with Union of India on three issues. For further procedure it was decided that India would be a federation. States would participate in Constitution making process. Union Constitution would be made by constituent assembly. When it will be ready, the states will extend it into the respective states permanently, via a ratification in the constituent assemblies of the state.

When the Constituent Assembly of India completed the constitution making process in November 1949, how many states had own constituent assemblies fully ready?

Only three. Mysore, Travancore-Cochin and Saurashtra.

If only three states had constituent assemblies ready in November 1949, how could India get its constitution ratified at each state then?

It was decided that ruler would make a proclamation and accept Union Constitution. Deputy Prime Minister Sardar Patel made an announcement in the Constituent Assembly in October, that for all the states that do not have their constituent assembly yet, their first state Legislative Assembly would be considered as the Constituent Assembly. They can make some amendments and proposals, and those would be considered sympathetically. Then they would ratify accepting the state's jurisdiction into the union's constitution fully.

What was the situation in Jammu and Kashmir between 1947 through 1949?

There was war going on. Some parts of the state were in the hands of Pakistan illegally. Assembly of the state could not be convened. Also, there were deliberations going on in the UN.

But India could have asked the legal ruler of Jammu and Kashmir, Maharajah Hari Singh, or his legal representative, to extend the constitution fully into Jammu And Kashmir State?

India had made a commitment of plebiscite in the UN. Extending the constitution without plebiscite would have broken that promise. Till that time we could have an interim system only. Regent of the State, Dr. Karan Singh, who was also the head of the state, made a proclamation like other rulers on 25 November 1949 and extended the Union Constitution. But in that Constitution, we made a provision of article 370 which given an additional legislative mechanism.

So where does Article 370 come here?

Due to the extraordinary situation of war involving Jammu and Kashmir, entanglement in the UN, vast areas of the Jammu and Kashmir state under the illegal occupation of external aggressors from Pakistan, the People Praja Sabha being dead, and with no chance of forming the constituent assembly of the state during late 1940s, India made a temporary transitional provision in the form of Article 370.

What are the three clauses of Article 370?

Gopalaswamy Iyengar made a draft presentation named 306A in the Indian constituent assembly.

Clause 1 – The most immediate parts of Indian

constitution that should be extended to Jammu and Kashmir, will be extended immediately with the consultation and concurrence of the government.

Clause 2 – An assembly would be constituted that would discuss on all the issues related to constitution extension.

Clause 3 – Once the constitution extension part is complete and confirmed by the constituent assembly, there would be a recommendation by the constitution assembly, and the President of India would abrogate Article 370 via a Presidential order, or modify it as needed.

If it is so clear that Article 370 should have been abrogated long back, why is it still in effect?

This is due to the unfortunate politics of compromise and appeasement in India.

How do you define the misuse of Article 370 in Jammu and Kashmir?

Jammu and Kashmir is misquoted, miscarried and mishandled throughout India. That's the unfortunate summary. This is carried on for 65 years causing a long list of injustices to the people of India in general and the people of Jammu and Kashmir in particular.

Why this mishandling and misquoting for so long?

For the past 65 years, just like now-a-days, India has been seeing the state of Jammu and Kashmir, through the eyes of Kashmir valley only. That valley is a mere 15% of the present state, and 7% of the erstwhile larger Jammu and Kashmir state's area. Also, India is considering Sheikh Abdullah and his family as the sole representatives of the state, which has been another

big mistake. Sheikh was never the leader of Jammu and Ladakh regions, but Indian governments have not realized it.

Tell us about the abdication of the Maharajah of Jammu and Kashmir.

Unfortunately, Sheikh Abdullah and his coterie with the support of PM Nehru, made the Maharajah of Jammu and Kashmir leave the state in pain. Even Sardar Patel also became a party in the decision. Sheikh Abdullah had his own grand ambitions of becoming an independent Sultan of Jammu and Kashmir, and till the Maharajah was there, his ambitions would have been blocked. Hence the whole conspiracy was hatched to abdicate the legal ruler of the state.

Why would Sheikh Abdullah work against the Maharajah of Jammu and Kashmir?



Maharajah Hari Singh {Image: wikimedia}

At the time of partition, there was a secret British plan that the state of Jammu and Kashmir must go to Pakistan. Their intentions were geo-strategic to contain communist Russia and China. Jammu and Kashmir was an ideal base to deal with central Asia. First they tried to get it into Pakistan. But when that failed, their next step was to see if they can make Jammu and Kashmir independent.

Why did Sheikh Abdullah go to Lake Success in United States, to represent India in UN?

That was wrong. He had no legal authority to represent the state of Jammu and Kashmir when Maharajah Hari Singh was the real authority. Still the government of India, twice, sent him due to a whimsical character of PM Nehru, who unfortunately had full faith in Sheikh Abdullah and hate for the Maharajah.

How did Sheikh Abdullah get this idea of independence for Jammu and Kashmir?

Most likely the CIA planted the idea when he visited Lake Success, USA. Jammu and Kashmir was such a big state with 2,22,000 sq KM (including PoJK and CoJK) and bordering five countries. If independent, Jammu and Kashmir would be much bigger than four to six smaller European countries. So Sheikh got this idea of an independent Sultan, with colonial powers' blessing.

What did Sheikh Abdullah do when the first elections were held in Jammu and Kashmir in 1950-51?

He fraudulently canceled the nomination of majority of the opposition candidates in the 75 seats. Then automatically, all the 75 members of the Legislative Assembly were his party's

(National Conference) men, with majority coming to the assembly unopposed.

After the election fraud what did Sheikh Abdullah do?

He told Jawaharlal Nehru that he does not want to discuss the extension of Indian constitution into Jammu and Kashmir. This was a clear case of fraud against the instrument of accession signed by the Maharajah, the legal ruler in 1947. Sheikh also wanted a separate state flag, his constituent assembly sovereign in nature, separate constitution, separate denomination, no Indian election commission, no CAG, no Indian Administration Service, no parliament election, and even the governor could not be appointed by the President of India like in other states.

How did the PM of India, Jawaharlal Nehru treat Sheikh Abdullah's outrageous demands after the first assembly in Jammu and Kashmir?

He realized that Sheikh had fooled him. Nehru was betrayed for putting his faith on Sheikh. Due to article 370 the constituent assembly of the state, the only legal channel to get the constitution extended, as well as ratification of accession had been hijacked by Sheikh via election manipulation.

What did Sardar Patel, who integrated more than 500 states into India, say after Sheikh Abdullah's big betrayal in Jammu and Kashmir?

By the time Sheikh Abdullah started raising illegal demands in Jammu and Kashmir's assembly, unfortunately Sardar Patel had died. And, Jawaharlal Nehru was not an able statesman to handle such crisis.

What happened after the 1951 betrayal of Sheikh Abdullah?

Jawaharlal Nehru and Sheikh Abdullah made an accord in 1952. Based on this Nehru even gave a statement in India's parliament about a compromise on Jammu and Kashmir. But the fact of the matter was that this was only an understanding between two political personalities even could not termed as accord because neither Nehru, nor Sheikh was authorized to make any accord. Also, this was not a signed document, so was not legal one also.

What happened after the 1952 Nehru-Sheikh accord?

Nehru accepted all the wishes of Sheikh, even though they were not legal and binding for India. It was a very bad compromise by Nehru on behalf of India.

What were the unconstitutional things accepted in the 1952 Nehru-Sheikh Accord?

Governor will be elected by the assembly of Jammu and Kashmir, and not appointed by the President of India like in other states. The denominations of Chief Minister (Mukhya Mantri) and Governor (Rajyapal) won't be applicable in Jammu and Kashmir. Instead they would be called "Wazir-e-Azam" (Prime Minister) and "Sadr-e-Riyasat" (President). Jammu and Kashmir will have a separate flag. Jammu and Kashmir will have a separate constitution. Supreme Court of India won't have the capability to decide on Jammu and Kashmir cases. No jurisdiction of the union constitution and the election Commission of India. No place for Indian IAS and IPS cadre in Jammu and Kashmir. Many more like these clearly made a mockery of Indian constitution in Jammu and Kashmir, due to a

blatant appeasement policy enacted by the then PM of India, Jawaharlal Nehru.

Did the nationalist people of India, as well as those in Jammu and Kashmir accept Jawaharlal Nehru's meek surrender to Sheikh Abdullah?

Absolutely not. A massive agitation started in Jammu and Kashmir called the Praja Parishad Andolan (People's Council Movement). The year 2013 is the 60th anniversary of that great agitation. 17th November 1952 was the starting point of the final phase of this agitation under Pandit Premnath Dogra. Initially, he was the RSS Sanghchalak of State of Jammu and Kashmir and at that time president of main opposition party Praja Parishad. That movement's slogan was that one nation couldn't have two Prime Ministers, two Flags and two Constitutions.

What happened during Praja Parishad Andolan?

About 15 people got martyred when the state forcibly suppressed the agitation. More than 5000 got jailed. Dr. Syama Prasad Mookherjee came for the agitation. People protested against Delhi Accord having Dr. Rajendra Prasad photo around the neck, copy of the Indian constitution and the tricolor Indian flag in their hands throughout the state.

Injustices To The People of Jammu and Kashmir

Who are the real victims in Jammu and Kashmir?

The unfortunate refugees. Jammu and Kashmir is the land of refugees. There are 2,00,000 refugees who migrated from today's Pakistan (excluding Pakistan Occupied Jammu and Kashmir).

Why are the 2,00,000 refugees who migrated from West Pakistan (excluding Pakistan Occupied Jammu and Kashmir) still in camps in Jammu and Kashmir?

Because of Article 35-A that was inserted into the Indian constitution. Jammu and Kashmir assembly made a provision for the Permanent Resident Certificate (PRC) in the state's constitution. Four generations have passed since then, but still the refugees have not been given state subject status. They are still in 200 camps within 5 KM from the line of control between India and Pakistan. They probably hold the record for the world's longest suffering "stateless people" title.

What are the injustices with the refugees from West Pakistan during 1947 in Jammu and Kashmir, in contrast with other Indian states?

Jammu and Kashmir does not give these refugees (mind you, fourth generation now), a right to vote in the state assembly and the local body elections. They are denied the right to own property in Jammu and Kashmir. Their children can't get professional education in the state's colleges. They are denied Scheduled Caste (SC) or Other Backward Caste (OBC) scholarships. They are denied state employment.

Are Indian "champion" politicians, who fight for Scheduled Caste, Tribes and Backwards Castes, fighting for Jammu and Kashmir's backwards?

No. Mayawati, Deve Gowda, Karunanidhi, Lalu Yadav, Mulyam Yadav, Rahul Gandhi and a host of "champions of backward castes and Dalits" are nowhere when it comes to Jammu and Kashmir's backwards. 75% of the "stateless subjects", the refugees from West Pakistan, are SC and OBCs.

Do we have human rights for refugees in Jammu and Kashmir camps?

No. The 2,00,000 West Pakistan refugees in camps of Jammu and Kashmir, have no rights. Compare this with Supreme Court (SC) of India saying that even a terror convict Afzal Guru's hanging should have been informed earlier to the family. But these lakhs of refugees not even having voting, property or educational rights is not considered human rights violation in India. The same SC says, that this issue of West Pakistan refugees is a "Constitutional Anomaly" and we could not say what to do!



Which is the biggest human rights violation in India today?

The way Jammu and Kashmir state is treating its West Pakistan and other refugees in camps for four generation, denying them all the basic rights that rest of Indians have.

Refugees of Jammu and Kashmir. (Image: blogspot.com)

How big is the refugee population from Pakistan Occupied Jammu and Kashmir (PoJK)?

Today there are 10,00,000 internal displaced living in Jammu and Kashmir within India, who were forced to migrate from Pakistan Occupied Jammu and Kashmir (PoJK). Read more on them here -> <http://www.jammukashmirnow.com/pok/pok-refugees>

Why are the PoJK refugees in J&K, not given permanent settlement in India?

Because Indian governments for generations have considered them as "internally displaced" people, and not refugees. This is because the land from which they came, was illegally occupied by Pakistan, and it is constitutionally a territory of India.

Why has not India settled the refugees from PoJK?

Because per governments, if India settles this 10,00,000 refugees permanently in Jammu and Kashmir under Indian control, India will lose the natural claims of Pakistan Occupied Jammu and Kashmir (PoJK). It was told then in the early 1950s that it is only a matter of "few days" and they will go back to their own land! This is going on for 65 years and these unfortunate refugees are living in pathetic camps. Even if they have access to rudimentary housing, they have no right to the land where they stay.

What was the biggest injustice after Mangla dam construction near Mirpur, in Pakistan Occupied Jammu and Kashmir (PoJK)?

This World Bank funded dam construction marooned large amount of property belonging to the Hindu and Sikh

refugees living in Jammu and Kashmir within India today. The compensation money is in the banks at Mirpur, but Indian government does not claim that for the fear of losing claims over PoJK. The victims are the refugees who have now lost their property without compensation..

How many Hindu Kashmiris were evicted forcibly from their Kashmir valley homes by Islamic Jihadi terrorists since 1990 January?

More than 2,50,000. They belonged to 56,000 families registered at that time.

Why were Kashmiri Hindus, mostly Pandits, ethnically cleaned from Kashmir valley by terrorists supported by Pakistan?

Because they were the symbol of Bharat (India) in the Kashmir valley.

How does an overwhelmingly Hindu majority India with over 123,00,00,000 people, treat its Kashmir Hindu refugees?

Pathetically. No political party even has on their agenda, the return of these people to their homes in the Kashmir valley.

Are 10,00,000 PoJK internally displaced people (IDP), West Pakistan refugees (2,00,000) and Kashmir Valley Hindus (2,00,000) the only refugee categories?

No. There is a fourth type also. They are the people of Jammu who had to leave their homes in the higher districts of Jammu, due to terrorism over the past 15 years.

Have Jammu's terrorism affected people paid a heavy price?

There is a family of 5 widows in Jammu. They were the wives of five brothers from Jammu. The eldest widow is 40. There is no development in their areas for 15 years and the people have suffered heavily. A report prepared by Organization "Justice on Trial" named " Ordeal of Jammu Migrants " have conducted a study and found that almost all the districts of Jammu were terror affected. Poonch, Rajouri, Doda, Kistwar and Rambasn were severely hit. Even J&K High Court and Supreme Court have directed the State Government to look after the issues of the terror victims of this region. But Government has been insensitive to this region.

Are Jammu and Kashmir and Indian Governments neglecting refugees?

Absolutely yes. In Jammu and Kashmir, there are policies made to help stone-pelters who kill Indian soldiers. There are policies to help ex terrorists. There are policies to help those who crossed over the border to Pakistan to work in terror networks (married to Pakistani women now and raised families). But the same government does not care for the nearly 2 million refugees rotting in various camps or other settlements.

Do Other Backward Castes (OBCs) have reservation in Jammu and Kashmir?

No. But they have in other states of India.

Do Scheduled Tribes (ST) have reservation in Jammu and Kashmir like in other parts of India?

Between 1947 and 1991, they had no reservation. They

got reservation in only educational and employments in 1991, but still don't have the political reservation that they deserve. STs form 18% of Jammu and Kashmir's population (excluding PoJK and CoJK).

Do Scheduled Castes (SC) have reservation in Kashmir valley?

For 60 years, they were not given reservation because of manipulated administrative orders. It took a battle by the nationalist people of Jammu and Kashmir in the Supreme Court in 2007, to win SC reservation in Kashmir valley.

Did Jammu and Kashmir assembly welcome the SC reservation?

No. In 2010, Jammu and Kashmir assembly tried to stop the SC reservation in Kashmir valley, via legislation again. However, they had to backtrack after heavy pressure from the nationalist people of the state. But the severe injustice to Dalits this way has no supporting voices at all in the rest of India.

Are 73rd and 74th amendments of Indian constitution, applicable in Jammu and Kashmir?

No. This is a big blow towards local governance in Jammu and Kashmir.

Who is a minority as per Jammu and Kashmir state definition?

Undefined even today. For example, the Sikhs are a minority in the whole of India, but not in Punjab state, where they are more than 50% of the population. But in Jammu and Kashmir, Muslims are still minority. Muslims form nearly 58% of Jammu and Kashmir population (70 lakhs out of 120 lakhs total

population), but still get all minority rights in the state. And being in control of the government, they enjoy all the majority rights. This is a clear case of injustice to the rest in Jammu and Kashmir.

Talking about gender discriminatory laws, what happens when a Jammu and Kashmir woman marries a man outside the state?

She and her offsprings will lose all the property and other state rights. This is one of the most racist and discriminatory gender laws you can ever find in the world. How can a mother not give her property to her own children, just because the father was not from the state? These are being challenged in the courts and hopefully some resolution comes through.

Solutions for the "issues regarding Jammu and Kashmir"

How do you shortly describe the "Kashmir Problem"?

Do not describe it as Kashmir Problem. It is a problem of misinformation in the State of Jammu and Kashmir and lack of Information in the rest of India. There may be a problem of separatism or fundamentalism or cross border terrorism in some part of the State. Understand two issues and work on a single solution. That will take care of everything.

What are those three lies being propagated as "Kashmir Problem"?

The three lies are - Article 370 gives Jammu and Kashmir a special status, Jammu and Kashmir is a dispute and Jammu and Kashmir is a Separatist State.

In which part of the Jammu and Kashmir State is this perceived "Kashmir Problem" existing?

Two of the three regions of today's Jammu and Kashmir have no problem. 86,000 sq KM area of the state out of 1,01,000 sq KM has no problem. It's only the small area of Kashmir valley, that is 15,000 sq KM only, that has a problem of terrorism and separatism.

Where exactly is the problem of separatism?

Only in the small 15% Muslim majority region of Kashmir valley and not in the Hindu and Buddhist majority 85% area of the rest of the state. There has never been a protest against India in Jammu or Ladakh.

So in how many districts do we find stone-pelters shouting against India?

Only in the 5 out of 22 districts of Jammu and Kashmir state. It's a very localized problem within the state. One sect of Muslims dominates these 5 districts. They are the Kashmiri Sunni Muslims and only they have the so-called "Kashmir problem". That's around 30% population of the Jammu and Kashmir state, while the rest 70% are peacefully living as regular Indians.

Who are the famous Kashmiris who get time in TV channels of India?

Yasin Malik, Shabbir Shah, Syed Gilani, Mirwaiz Farooq, Mehbooba Mufti, Omar Abdullah, Sajjad Lone and Asiya Andrabi. These are from the 5 districts of the state where this problem of separatism is localized. And only these eight are the familiar Kashmiri faces for Indian TV.

If Jammu and Kashmir is 22 districts big, why do TV channels and media stalwarts only focus on the 8 faces from 5 districts that have separatism problem?

That's the devious media agenda being played against the unity of India. They never give any TV talk time for anyone from Jammu or Ladakh, the regions forming 85% of the state in the form of 17 districts. If they come on TV, people will get a full picture of the perception from the state, which media does not want Indians to see. There's no separatism or alienation in the majority of the state, and that is a fact. Due to the lack of information and the devious media agenda against the unity of India, majority of the Indians don't get to hear the nationalist voices from Jammu and Kashmir.

Why is "Kashmir Problem" propagation a big lie?

First of all never call it the "Kashmir problem". It is a problem of terrorism and separatism in the state of Jammu and Kashmir. We all know that there is a naxalism problem in Chhattisgarh, do you call it a "Chhattisgarh Problem"? Bihar has poverty and backwardness. Do you call it a "Bihar problem"?

What should be the discourse on the Jammu and Kashmir?

Every Indian should talk about China Occupied Jammu Kashmir (CoJK) and Pakistan Occupied Jammu Kashmir (PoJK). That is the biggest priority from the national security perspective. Secondly, Indians should understand the real victims of Jammu and Kashmir over the past 65 years, as described in the earlier chapters.

What are the things that separatists of Jammu and Kashmir have understood?

India will never leave Jammu and Kashmir, as it is a legal territory of India. Guns won't work against India even after 40,000 terrorists and 35,000 civilians killed, and also about 6000 security forces martyred. 85,000 AK47 rifles, telescopic guns, pistols and rocket launchers and tons of RDX have been seized. Hence, there is no solution to the separatism problem by waging a war on India, be it direct or proxy via terrorism.

Has Pakistan understood the futility of supporting terrorism in Jammu and Kashmir?

Yes. The very existence of Pakistan is now in doubt, because the terrorism that was grown to hurt India is eating up Pakistan from inside.

What was the turning point in the downfall of separatist movement in Jammu and Kashmir?

The 2008 Amarnath Yatra Agitation. This movement clearly showed the power of nationalistic voices in Jammu and Kashmir. Nationalistic people of India have scored a clear cut victory over the tiny minority of Jammu and Kashmir that wanted to separate out of India.

Are the separatists of Jammu and Kashmir demoralized?

Absolutely yes. They are at the worst morale level now. Their funders and sponsors in Pakistan have also understood the futility of violence against India. 1990 was the peak of terrorists' morale and 2013 is the complete opposite. This is the time for nationalist forces to seize the opportunity to end the terrorism and separatism movements in Jammu and Kashmir.

What's the first step in reclaiming the whole of Jammu and Kashmir?

First and foremost – create awareness among the general Indians about Jammu and Kashmir. People of India don't have the right perception about Jammu and Kashmir. Due to their wrong understanding of Jammu and Kashmir, politicians and bureaucrats have been allowed to get away with wrong policies on Jammu and Kashmir.

Is Jammu and Kashmir an issue of party politics like Congress, BJP or Communists?

No. Jammu and Kashmir is an issue of national integration of India. It is not a political party bickering, nor a Hindu-Muslim fight. People of India need to understand that very clearly.

Awareness, consensus and will are necessary among Indians regarding Jammu and Kashmir.

What are the key days about Jammu and Kashmir to celebrate in India now?

Start with the Jammu and Kashmir accession day of 26th October 1947. That must be celebrated in schools and offices so that every Indian gets a clear perspective that the state acceded legally to India on that day. Then celebrate 22 February as "Sankalp Diwas". This date is relevant as Indian Parliament passed a unanimous resolution about PoJK on 22nd February 1994.

What else common Indians can do for Jammu and Kashmir?

Please visit Jammu and Kashmir at least three times in your life. Once visit Ladakh, once Jammu and once Kashmir.

What are the places that are usually hyped when visiting Jammu and Kashmir?

Gulmarg, Pahalgam and Dal. Because they are just hypes created to help separatists with tourist income, by the people who have captured the state government for the past 65 years, as their support base exists here. But the people of the country should know that there's far more Kashmir beyond these three.

Then what else to see in Kashmir valley?

Visit the 5000-year Hindu and Buddhist history of Kashmir valley first. There are 100s of very beautiful and ancient places that are not marketed well for obvious reasons. Check out this site for more suggestions -> <http://www.jammukashmirnow.com/tourist-pilgrim-destination>

What places to visit in Jammu?

Pro people, pro border areas and pro poor tourism needs to happen. Contact Jammu Kashmir Study Center for a customized itinerary when visiting Jammu.

Where to visit in Ladakh?

Visit Demchok the last border village of India today near Aksai Chin. There are only 80 families there, but they are proudly holding Indian flag in a very remote area where there is no road 200 KM before the village!

Tell more about Demchok's brave Indians.

Last year, China threatened Demchok's 80 families not to celebrate August 15th, India's independence day citing Demchok as a disputed territory. The local sarpanch Raja bhai Tangey contacted ITBP army unit and that contacted the politicians in Dilli. They were told "not to enrage" the Chinese and flying Indian tricolour flag was not that important! But in spite of no support from the army or Dilli politicians, Demchok's brave Indians celebrated the Independence Day by flying Tiranga flag! Visit such people and generate income to them from tourism. If these 80 families leave that place, India's borders will shrink by 200 KM. So supporting these brave people is very important. Even if 1000 Indians visit as tourists, this village will generate enough employment and people will remain in that very inhospitable place.

What is the state of Hindu temples burnt or destroyed by terrorists in and after 1990?

Islamic Jihadi terrorists destroyed 180 Jammu and Kashmir Hindu temples since 1990. People have rebuilt 65 of

those destroyed temples over the past 5 years. Every month there is a havan in the temple and every year there's a major celebration in each temple. Up to 25000 people visit those annual celebrations at some temples. Indians build lot of temples in their local villages, towns and cities. Please build a few in Jammu and Kashmir also. This is the state with 5000 years of Hindu history.

What can be done to the terror refugees of Jammu and Kashmir?

They can be helped in jobs, education, temple building and many other areas. Contact Jammu Kashmir Study Center for more details.

What is the change in Indian mindset needed now?

Enough of slogans and marches. Change from "Jammu and Kashmir bachao (save)" to "Jammu and Kashmir apnao (adopt)" mindset.

What are the key things Indians can do for Jammu and Kashmir?

Three key things:

Visit Jammu and Kashmir.

Integrate with the people of Jammu and Kashmir.

Then work for Jammu and Kashmir.

So in summary, is there a "Kashmir Problem"?

No, not at all. It is actually a "Dilli Problem". Created by Dilli, nurtured by Dilli and carried on by Dilli. It actually refers to the bureaucrats, politicians and the so-called Jammu and Kashmir experts based out at Dilli. Whenever the nationalists

become stronger and there is light at the end of the tunnel visible for all problems, Dilli does something stupid giving a morale boost to the separatists of Jammu and Kashmir.

Give examples of how Dilli spoiled the last wave of Jammu and Kashmir full integration effort by the nationalists?

When nationalists were trying to integrate the state fully, Indian government sent three interlocutors, which gave a huge morale boost to the tiny group of separatists.

How did the interlocutors report hurt India's national integrity?

That interlocutors report suggested to review all the constitutional articles that got extended to Jammu and Kashmir since 1953. In reality, the need was to extend all the pending constitution articles, not to review or remove any that is already extended. They even recommended the permanency for Article 370, with special status via 371, acceptance of sovereignty of PoJK on the areas illegally occupied by Pakistan.

What is the biggest grievance of Jammu and Kashmir nationalists?

They can fight with Pakistan and China, with separatists or even terrorists, but not with Dilli government. Such is the pathetic track record of successive Indian governments at Dilli. That's where they want help from common Indians to educate and fight this "Dilli Problem".

Lastly what should be the topmost priority for patriotic Indians?

Again, get back the parts of Jammu and Kashmir that are

illegally occupied by China and Pakistan. We should address the problems of POJK refugees, West Pak refugees, Terrorism affected people, Kashmir Hindus, SCs, STs, OBCs, women, minorities, and the residents of Jammu and Ladakh.

!!! Vande Mataram !!!