

**TERRORISM AS A CRIME METAPHOR: COUNTER  
TERRORISM; STRATEGIES AND PROBLEMS : A  
CASE STUDY OF KASHMIR SINCE 1989 TO 1995**

*Dissertation submitted to Jawaharlal Nehru University  
in partial fulfilment of the requirements  
for the award of the degree of  
MASTER OF PHILOSOPHY*

**RAJAT KUMAR KUJUR**

**Centre For Political Studies  
School Of Social Sciences  
Jawaharlal Nehru University  
New Delhi - 110 067  
INDIA**

1997



जवाहरलाल नेहरू विश्वविद्यालय  
**JAWAHARLAL NEHRU UNIVERSITY**  
NEW DELHI - 110067

**CENTRE FOR POLITICAL STUDIES**  
**SCHOOL OF SOCIAL SCIENCES**

Date: 21/7/97

**CERTIFICATE**

This is to certify that the dissertation entitled "**TERRORISM AS A CRIME METAPHOR: COUNTER TERRORISM, STRATEGIES AND PROBLEMS: A CASE STUDY OF KASHMIR SINCE 1989 TO 1995**" submitted by **RAJAT KUMAR KUJUR** in partial fulfilment of the requirements for the award of the degree of **Master of Philosophy** is his own work and has not been previously submitted for any other degree of this or any other University.

We recommend that this Dissertation be placed before the examiners for evaluation.

**PROF. BALVEER ARORA**  
(Chairperson)

**PROF. RAKESH GUPTA**  
(Supervisor)



Dedicated to my Father  
Mr Maurice Kujur  
who is always ahead me  
like a torch bearer

&

My Mother  
Mrs Rajani Kujur  
who is always behind me  
like my shadow

## CONTENTS

	<u>Page No</u>
ACKNOWLEDGEMENT	
PREFACE	i - ii
<b>CHAPTER I</b> : INTRODUCTION	1 - 15
<b>CHAPTER II</b> : INTERNAL SECURITY FRAMEWORK	16 - 33
<b>CHAPTER III</b> : COUNTER-TERRORISM : I	34 - 70
GOVERNMENT POLICIES - RESTORATION OF ELECTORAL PROCESS	
<b>CHAPTER IV</b> : COUNTER-TERRORISM : II	71 - 124
UNCONVENTIONAL WAR & ROLE OF SECURITY FORCES	
<b>CHAPTER V</b> : CONCLUSION	125 - 132
BIBLIOGRAPHY	133 - 141

## ACKNOWLEDGEMENT

Originality and a feeling of one's own dignity are achieved only through work and struggle. In course of this ceaseless struggle, mere acknowledgement can never substitute my indebtedness towards all those who encouraged me to carry on with my endeavour; nevertheless, I must mention them with gratitude for gratitude is the least of virtues, but ingratitude is the worst of vices.

In the present endeavour, I am sincerely grateful to my esteemed Supervisor, Professor Rakesh Gupta whose insightful guidance and intellectual ingenuity cleared my blurred vision. I also owe special appreciation to Mrs. Gupta for her active cooperation and continual encouragement in course of this exercise.

I earnestly express my indebtedness to Professor Balveer Arora, Chairperson of the Centre for Political Studies, School of Social Sciences, Jawaharlal Nehru University, whose kind cooperation really made me submit my dissertation. I am also thankful to the faculty members of this Centre for their encouragement.

I also wish to acknowledge the cooperation and assistance received from the Library staff of the Jawaharlal Nehru University, New Delhi; Institute of Defence Studies and Analysis Library, New Delhi; Parliament Library, New Delhi; Home Ministry Library, New Delhi; Defence Ministry Library, New Delhi; and of course, Army Headquarters Library, New Delhi, in collection of research material for this dissertation.

My gratitude is also due to Mrs Anjna S. Arora for the tenacious support and nimble-fingered typing of this dissertation.

I must single out, for special thanks, Ajit, D.D., Dipu, Girija, Kaushik, Sambit, and Shelley for their support, encouragement and suggestions during informal discussions. Besides, my personal thanks goes to Asit, Bebie, Bobby, Dillip, Dolly, Gautam, Liza, Munna, Nitu, Pupu, Pyari, Ritu and Subhranshu for their support.

I would like to wish my gratitude to Dr N.S. Hedke and Dr P.K. Mishra for their timely treatment during my ailment. I have also been privileged by the inspiration that I received from Dr [Mrs] Kamala Das and Prof. Kali Kumar Das, who happens to be a prolific writer.

I am deeply indebted to my parents, brother and sisters — Prabhat, Baby and Chhaby, who rode out the occasional pockets of turbulence with admirable fortitude that gave me the much needed fillip to complete my work.

Finally, my special gratitude to PINKY, whose silence always invigorated me work hard.

At the end, I absolve all of any responsibility for my own shortcomings or oversights.

New Delhi  
Date 21/7/97

*Rajat Kumar Kujur*  
RAJAT KUMAR KUJUR

## PREFACE

While states, nations and humanity are facing the greatest danger of terrorism, the policy makers are in the biggest dilemma of countering terrorism. At the same time, scholars all over the world are widely divided to provide a precise definition of and a meaning to terrorism. This dissertation is an attempt to explore some of the complexities of terrorism, especially strategy of counter terrorism in India. We examine the Indian experience of counter-terrorism in Kashmir between 1989 to 1995 as a case study.

As an introduction, Chapter I looks into the concept of violence from a historical perspective. In that context, we look into the concept of terrorism in the light of the explanation of violence and revolution provided by some eminent philosophers and sociologists. Here we have also attempted to look into the definitional problem of the concept of terrorism. Last part of this chapter provides a prelude to the current phase of militancy in Kashmir.

Chapter II attempts to understand the concept of internal security by categorizing works and searches for an understanding of national security in regional and international dimensions. Second part of this chapter deals with the legal framework of India's internal security.

Chapter III attempts to understand the swings of policy and policy range of government during the period of 1989 to 1995. It deals with the decision making structure of India. Subsequently, it deals with the continual changes of Governors in Jammu and Kashmir and the changes of governments at the centre that impacted on

change in Kashmir. This chapter also deals with the policy swings and range of this period [1989 to 1995] which have resulted in a metamorphic change from high handed violence to the attempts of restoring electoral process.

Chapter IV tends to understand transnational terrorism. It examines both historically and factually, the involvement of Pakistan and its strategies of unconventional proxy war which is non-nuclear. Second part of this chapter speaks about the Indian Security Forces [Army, Paramilitary Forces and State Police] in relation to their role in Kashmir during this period.

Finally Chapter V, as a conclusion, summarizes facts and findings of this research proposal.

## CHAPTER I

### INTRODUCTION

One serious dilemma which the society, the state and the humanity as a whole faces today is the use of violence for social and political ends by individuals, groups and states. It is an issue of concern for the whole humanity not because violence for political ends is something that is not approved by the norms of human society, but because the humanity at large is the target of such violence without a cause.

Historically, the concept of violence has attracted a number of sociologists and political thinkers to provide a philosophical basis for it. Theory of violence has found its mentors in the writings of Karl Marx, Lenin, Stalin, Sartre, Marcus and more recently Dr Fanon. Marx considers violence as a means for the working class to liberate itself by the fruits of production, by sweat and toil on the factory floor. In his **Das Capital**, written in the backdrop of French Revolution, Marx reiterates that violence could be used by social organization, not by individuals, to put an end to the capitalist system. He again cautions that a social organization could resort to violence only when the social conditions were favourable. He was of the firm belief that a new social order could be created only by smashing the old machinery of the state. "Every revolution dissolves the old society and to that extent it is social", wrote Marx, "every revolution overthrows the old power and to that extent is political".<sup>1</sup>

---

1 Karl Marx, "Critical Marginal Notes on the Article: *The King of Prussia and Social Reforms: By a Prussian*" in Karl Marx, Frederick Engels', **Collected Works**, vol. 3, Progress Publishers, Moscow, 1975, p. 205.



Launching the Bolshevik Revolution, Lenin too formulated the main rules of an armed uprising. He cautions the working class not to play with insurrection. Because once the insurrection starts, everybody has to be a part of it and hence every one should be prepared to go all the way. He wrote that “once insurrection has begun, you must act with the greatest determination and by all means, without fail, take the offensive”.<sup>2</sup> Both Marx and Lenin looked at the cause of violence as structural.

Sorrel [1847-1920], another important exponent of the ‘theory of violence’ regards violence as the protector of the society. In his **Reflections of Violence**, he used the term ‘protective violence’ which he finds a necessary, fine and heroic thing. He conceives protective violence as a simple and firm manifestation of the sentiment of class-war, which is always at the service of universal interest of the civilization. Important part of Sorrel’s philosophy is that he himself had doubts about the authenticity of this method. He considered that protective violence might not be an appropriate method of obtaining immediate material advantage, but he had hopes that in the long run, it might save the world from stagnation.

Credit goes to Sartre, for he romanticized the concept of violence and terror. Unlike Marx, to him, violence is an end of obtaining revolutionary consciousness. He considers violence as a part of life. The Marxian concept of revolutionary consciousness is attained through the struggle for increased productivity, whereas Sartre finds no other way of attaining revolutionary consciousness except through violence and destruction. Subsequently, he gives

---

2 V.I. Lenin, “Advice of An Onlooker”, **Collected Works**, vol. 26, Progress Publishers, Moscow, 1977, p. 180.

the example of French Resistance Movement, World War II and Algerian Crisis to justify this argument.

'Theory of Violence' found a modern teacher of violence in Marcus. His **One Dimensional Man** provides a legal explanation of the concept of violence. He finds law and order as the privilege of a selected few, who protect the established authority. He considered established law and order system useless for those who want to bring changes.

All the above mentioned philosophers perceived the use of violence in relation to revolution. However, violence in itself is neither revolutionary nor counter-revolutionary. It has served more to oppress than to liberate. Mussolini's Italy, Hitler's Germany, Franco's Spain — all the three modern European states of extreme Right, had violent beginnings.

To believe that the indiscriminate use of violence will advance the cause of revolution is like believing that we can obtain miraculous cure by plunging a scalpel into any part of body.<sup>3</sup> Also one cannot suggest that riots, guerrilla warfare and terrorism, including the state sponsored terrorism, are the only possible forms of violence. Killing of innocent civilians, bombing at public places, hijacking aircrafts, kidnapping foreign tourists; what kind of revolution they are trying to bring by resorting to these means of violence? Even Marx, Lenin and Sartre might find it difficult to provide a philosophical basis for 20th century terrorism. As Rakesh Gupta observes, 'Systematic terrorism of modern variety cannot be traced back to revolution

---

3 **The American Review**; Supplement Revolution, Delhi, Allied Publishers Pvt. Ltd., 1972, p. 74.

or to Karl Marx even though both do not suffer from the moral count of violence that is usual refrain of many others'.<sup>4</sup> It is Karl Heinz and not Karl Marx whose name is associated with terrorism.

Terrorism, which one can say is the most dangerous form of violence in today's world, however, is a complex phenomenon. In spite of the spread of terrorist incidents all over the world, the term has neither a precise definition, nor is it widely applicable. "The emotive nature of the subject matter, the terms derogatory thrust and the political discourse are major contributory factors to the complexity of terrorism".<sup>5</sup> Many eminent exponents of terrorism including Walter Laqueur, R.Thakarah and Paul Wilkinson believe that there is no definitional accuracy. The term is frequently, rather carelessly, used by academics, journalists, statesmen, as a synonym for rebellion, street battles, civil strife, insurrection, guerrilla warfare and *coup d' etat*. Based partly on historical grounds and currently on political grounds, there is large scale confusion over the aims and definitions of terrorism. Thus, the United States sees terrorism as 'senseless acts', a view supported by democratic countries; and the West go it alone as a community of free states and act as a group against terrorism.<sup>6</sup>

It is also a fact that one cannot generalize things when it comes to defining terrorism. It is a broad concept. One cannot equate kidnappings, bombings and large scale killings perpetrated by several militant outfits in Jammu and Kashmir, and the case of Tibet. With the absence of any widely accepted definition, terrorism is

---

4 Rakesh Gupta, "Terrorism as a Warfare Metaphor", *Strategic Analysis*, December, 1993.

5 A.P. Schmid, *Political Terrorism*, Transaction Books, New Brunswick, USA, 1983, p. 113.

6 Benjamin Netanyahu (ed.), *International Terrorism*

generally understood by the nature of act and the nature of effect. At the same time, it must be mentioned here that though there is no agreement regarding a common definition, yet there is considerable amount of agreement among the scholars of terrorism about the main elements which a definition should contain. Also there are different typologies of terrorism.

Terrorism is a complex term which involves a number of acts, i.e., terror, barbarity or ruthless violence by individuals as well as group of individuals within a state and also by the armed bands of one state against another. However, the main concern of a state is to define that category of terrorism which is unleashed against it by its own people. This is not to suggest that 'state sponsored terrorism' and 'state terrorism' are something of less importance or are less dangerous. But in case of a state sponsored terrorism, there are very few options before the affected nation. Because, here the enemy is indivisible and is carrying out a proxy war through some elements of the affected country. So the affected country cannot deal with the 'terrorism elements' as ruthlessly as it could deal with a foreign army.

Though the scholars all over the world are yet to establish a commonly accepted definition of terrorism, still the following definition of R. Thakrah tries to cover all the aspects of terrorism and most important, it is more or less applicable as far as this dissertation on Kashmir is concerned. "Terrorism is an organized system of extreme and violent intimidation to create instability within democracies. International terrorists seek to launch indiscriminate and unpredictable attacks on groups [police, army, multinationals, business etc.] or nations to change the politico-

economic balance of the world”.<sup>7</sup> The continuation of terrorism after the end of cold war suggests that it is more appropriate to talk about transnational terrorism and not vague global networks.

In spite of the definitional problem involved with the concept of terrorism, it has always been considered by the states within the context of criminal law. It has been a practice of modern nation states to examine the terrorist acts within the framework of internal security. Very often the term terrorism is used indiscriminately and hence, is difficult to use accurately in a strictly legal context. “From a legal point of view, there is nothing strange or incongruous about the dualism with which the phenomenon of terrorism is viewed. The true definitional struggle is between those who claim an exception at law for certain manifestly harmful acts and those who will not admit it”.<sup>8</sup>

What is a crime then? “The breaking of law because that definition officially labels people and separate society into ‘criminal’ and ‘non-criminal’ categories. In other words criminality is a social status determined by the way an individual is perceived, evaluated and treated by the legal authorities”.<sup>9</sup>

Looking at the very means, techniques and strategies of terrorism from the oriented angle, it may be contained within the limits of extortion or criminal intimidation or even simple offense breaching public peace, and law and order.

---

7 R. Thackrah, “Terrorism A Definitional Problem” in Paul Wilkinson and A.M. Stewart (ed.), *Contemporary Research on Terrorism*, Aberdeen University Press, Aberdeen, 1987, p. 38.

8 Hartjen, *Crime and Criminalization*, Boston, Little Brown, 1970, p. 6.

9 Richard Quinnes, *The Social Reality of Crime*, Boston: Little Brown, 1970, p. 7.

However, only when national security and integrity is threatened and the movement has larger ramifications, it can come within the ambit of crime affecting the security, and become a war metaphor.

The United Nations Human Rights Commission recently recognized terrorism for the first time as a serious threat to human rights, fundamental freedom and territorial integrity of the nations. The Commission further unanimously resolved on March 4, 1994 that “such acts of aggression are aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of states, destabilizing legitimately constituted governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of the states”.<sup>10</sup>

The Encyclopedia of Social Sciences describes terrorism as a method of challenging the state authority. It regards publicity as the cardinal point of terrorist strategy. Further it reads: “Terrorism in its proper sense implies open defiance of law and is the means whereby an opposition aims to demoralize a governmental authority, to undermine its powers and to initiate a revolution or counter revolution. The moral or political justification of terrorism of a revolutionary or counter revolutionary party proceeds from its consideration of existing government as a usurper of the peoples power”.<sup>11</sup>

Another exponent of modern day terrorism, Paul Wilkinson, in his two major works and several articles, defines terrorism as ‘coercive intimidation’, which is in

---

10 **Indian Express**, March 6, 1994.

11 J.B.S. Hardman, ‘Terrorism’, **Encyclopedia of Social Sciences**, vol. 14, by E.R. Seligman, Macmillan, New York, 1937, pp. 575-79.

practice “a systematic use of murder and destruction and the threat of murder and destruction in order to terrorize individuals, groups, communities or governments into conceding to the terrorists’ political demands”.<sup>12</sup>

When dealing with a concept like terrorism, several scholars, find it very much difficult to conceptualize violence, terror and crime. However, without going into controversies, one can safely say in relation to terrorism that the goals may be humanitarian for the perpetrators, but the means to attain such goals are not at all humane. The militants may aim for the liberation of a section of society, but the terrorist tactics might liquidate the other sections of the society. Modern day terrorism believes in no humanitarian, moral or legal norms; it is a doctrine which does not believe in securing the ends through persuasion and consent.

How to combat terrorism ? As the nations all over the world are facing the danger of terrorism, the debates for a proper counter terrorist policy have been intensified because elimination of militants does not always lead to elimination of militancy. Also the end of militancy might not result with the end of alienation which might have created the problem. The problem to formulate a proper counter-terrorist policy becomes more complex when terror gets interwoven with unconventional warfare. Policy makers, academics and security personnel, all over the world are widely divided on the issue of counter terrorist policy. Many suggest military oriented solutions on the line of ‘offensive defence’ while there are others who prescribe for redressing the legitimate grievances of the terrorists.

---

12 Paul Wilkinson, **Terrorism and Liberal State**, Macmillan, London, 1986, pp. 23-24.

## **A PRELUDE TO KASHMIR PROBLEM**

India, though won her independence through a predominantly non-violent struggle, has been facing the problem of armed insurgency since last fifty years especially in the North-East. The case of Kashmir has gone through several phases of pre-militancy and militancy. One often wonders what has happened to Kashmir, the veritable paradise on earth. Today when Kashmir is identified with large scale violence and terrorism, the Government of India continues to reiterate that the accession of Kashmir to India is final. At the same time, there are several outfits in the valley, some of whom are pro-Pak while others are demanding 'Azadi'. Then, there is very much the role of Pakistan who continues to create grounds for the constitutional breakdown of India in Kashmir. What has gone wrong with Kashmir's accession to India ? Why have the peace-loving Kashmiri people turned violent ? Why Pakistan is playing the Kashmir card ? When India can win two wars with Pakistan, what is the reason of the sustained anti-terrorist campaigns in Kashmir ? What is the reason behind Government of India's intention to conduct elections in Kashmir and why the militant outfits are not participating in the mainstream political process ? In fact, a series of question have to be answered in order to understand the Kashmir problem.

The world over terrorism has its origin in diverse causes, namely, colonialism, racialism, communalism, obscurantism, political persecution, human rights violation, economic exploitation, unemployment, alienation, communication gap, geographical isolation, fear of losing identity and above all either a genuine conviction among the people concerned of being separate from the rest of the country or effective



propaganda to this effect. An analysis of terrorism in Kashmir indicates that many of these factors were present there. Predominantly, it is political alienation that emerged in the pre-militancy phase.

To be more specific, militancy in Kashmir is a result of the vacuum created by the collapse of political process in Kashmir. The conflicting analysis of power games, as played by the Central Government from 1984 to 1986, which includes the dismissal of legitimately elected government of Farooq Abdullah and his reinstatement after he agreed to share power with the ruling party at the centre, did succeed in creating political alienation which ultimately led to power vacuum. This vacuum was ultimately filled by the emergence of Muslim United Front [MUF]. But when MUF too was not allowed a fair chance in the elections of 1987, it created a plea for the method of bullet. Then came Jammu Kashmir Liberation Front [JKLF], which pioneered militancy in the valley and seized the opportunity to occupy the space vacated by Kashmiri nationalists and democratic politics. In the mean time, Pakistan too shifted its support in terms of financial assistance, supply of arms and training to several militant outfits. This is how it all started and reached the pick of militancy in the valley. This state sponsored terrorism as unconventional war provided the variable in Kashmir for the growth of terrorism.

The most eventful period of terrorism in Jammu and Kashmir started in 1987 onwards. It was during this phase that our national political scenario witnessed a number of changes/developments, which ultimately affected the situation in Jammu and Kashmir. In between 1987-1989, several incidents occurred which had a

tremendous long term and multi-dimensional effect upon the cause of terrorism in the valley, the policy making bodies and the anti-terrorist measures.

Elections were held in March 1987 for the State Legislative Assembly and resulted in a massive victory for the National Conference and Congress [I] alliance. Farooq Abdullah was made the Chief Minister, despite serious allegations of rigging in some key constituencies by some political observers.

Terrorist outfits fully utilized the situation where several charges of corruption, inefficiency and improper handling of the mass movements were made against the government and with this they successfully changed the nature of mass protests to a full-fledged anti-Indian movement. A series of bomb blasts rocked the valley from the beginning of 1988 and the pro-Pak outfits were getting more and more aggressive while the response of Mr Abdullah to this deteriorated situation was silence and inaction.

Soon after, police personnel became the worst target of the terrorists. One cannot think about the administration where it could do nothing to the terrorists who were frequently attacking the symbols of state administration. This inefficiency of the government was sufficient enough to subvert the police forces and other government agencies. Later incidents proved that the state intelligentsia had become a total failure and the state government was not at all prepared to deal with a situation like this.

This is not to say that the Union Government very much carried out its responsibility. It was a situation where the state Government was ineffective enough

to deal with terrorism and the Centre was preoccupied with other so-called 'problems of more political importance'. It was during this period, our policy makers came out with the theory of "tolerable level of violence" which itself explains the low farsightedness of our policy makers in understanding the ground realities of Kashmir. The Home Ministry with Mr Buta Singh as the Minister advised the state government to strengthen vigilance on the border, improve intelligence and try to isolate the elements trying to generate anti-Indian feeling. Larger national security concerns emanating from the problems in Kashmir were at least not discussed in the open. The policy makers at New Delhi apparently believed that they could take hard decisions to deal with the situation only after the general elections so that it would not damage the images of the ruling party.

This period marked one of the strange features of terrorism in Kashmir where everybody, i.e., the Governor, the Chief Minister, the Police and the Central Government were aware of the gravity of the situation, but none was willing to take corrective measures. It was only because of lack of coordination between central and state government intelligence agencies which led to free flow of arms and ammunitions across the border which ultimately accelerated terrorist activities. Both the Governor and the Chief Minister were poles apart and highly suspicious of each other which resulted in a divided bureaucracy. "Lack of direction from the top and infighting in the higher levels/echelons of civil and police officials led to a total paralysis of normal administrative process".<sup>13</sup>

---

13 Maj. Gen. Afsir Karim, *Counter Terrorism : The Pakistan Factor*, Lancer International, New Delhi, 1991, p. 117.

However, the Ministry of Home Affairs finally sent a two members team comprising of the Additional Secretary, P.P. Srivastava and the Director of N.S.G., Ved Marwah, to take stock of the situation. On the recommendations of this team, a small contingent of NSG commandos were stationed in Srinagar who took the job to train J&K police officers in commando tactics. But the other recommendations regarding the change of the then Director General of Police, Gulam Jalani Pandit, and some other more concrete measures to combat terrorism were not addressed. This lukewarm response of New Delhi to the ground realities in Kashmir was the reason sufficient enough to demoralize the rank and file of J & K police.

Situation worsened day by day and by April 1989, it seemed that things were getting out of control and it is ironical to note that when terrorism was at its peak, J&K had a Governor, i.e., Jagmohan, who was on extension and was 'on the basis of daily wages'. How could a Governor decide about the future course of action when he himself was uncertain about his own future as the head of administration?

However, to satisfy Mr Farooq Abdullah and to fulfill its own political (mis)calculations, the Congress [I] Government at the centre finally replaced Jagmohan and appointed Gen. [Retd] K.V. Krishna Rao, as the new Governor of Jammu and Kashmir.

Our policy makers were very much content with their theory of 'tolerable level of violence' and despite all those bomb blasts, killings, attacks on security personnels and 'hartals', the Government decided to hold the elections to the Lok Sabha. Accordingly, elections to the Lok Sabha were held in the State on 22nd

November 1989. The extremely poor turnout of voters in the Kashmir valley itself proved the fact that the conditions were not at all positive to hold elections.

As a result of the general elections to the Lok Sabha, Congress [I] failed to return to power and as a result, Mr V.P. Singh from National Front became the Prime Minister and appointed Mufti Mohammad Syeed, a Kashmiri leader, as Union Home Minister. No major change in the counter-terrorism measures were made by the new Home Minister.

When the state was on fire, the Chief Minister Dr Farooq Abdullah, decided to go on a longish foreign trip. The state was fighting a well-organized terrorist strategy with an inefficient government with its head abroad, a demoralized police force and a deaf centre. There was a total collapse of administrative machinery and it was left to the CRPF to perform some magic. The improper and unstrategic handling of the kidnapping case of Dr Rubaiya Sayeed [daughter of Mufti Mohammed Sayeed] by the Government exposed the weakness in our policy to deal with terrorism. The release of five hard-core terrorists in exchange of Indian Home Minister's daughter gave a major boost to the terrorists' morale.

The situation in the valley started deteriorating rapidly after this kidnapping. The law and order condition completely collapsed and there was a total failure of government both at the administrative and political levels. The new government was of the opinion that Governor, Gen. K.V. Krishna Rao needs to be replaced. In a democratic system like ours, a Governor can do nothing except informing the Union Government about the conditions of the state as long as a democratically elected government is there in the office. However, the plan of the

centre became clear as soon as it appointed Jagmohan as the new Governor. The centre was looking for the resignation of Mr Abdullah and imposition of Governor's rule.

After this what happened in Kashmir is recent history.

## CHAPTER II

### INTERNAL SECURITY FRAMEWORK

‘National Security’, as a subjective analysis, is of a very broad scope. However, this work tends to examine the internal politico-legal dimensions of national security.

National Security, as a concept, is of Western or to be more specific is of American origin which emerged after World War II. In recent years, the concept of national security has attracted the attention of scholars and statesmen from the Third World both as an analytical and as a management formulation. However, the present day available literatures on National Security can be put under following three categories:

- i. Western Approaches to National Security;
- ii. National Security in terms of domestic socio-political cohesion;
- iii. Region as the basis of National Security.

#### **(i) WESTERN APPROACH TO NATIONAL SECURITY**

This approach of national security conceives security in terms of abstract values and is concerned mainly with the preservation of independence and sovereignty of the nation-state. Scholars of this school can again be sub-divided into the following three categories —

First, there are quite a number of exponents of national security, who consider 'vital national values' as the core of national security. According to the **Encyclopedia of Social Sciences**, "National Security is the ability of a nation to protect its internal values from external threat". Efforts to enquire into a definition of 'internal values' meets vagueness. For example, Arnold Wolfers, one of the most important exponent of national security theory argues that, "national security is the protection of values previously acquired". He regards this as the objective view of security and states that, 'the absence of fear that such values will be attacked' is the subjective view of it. Thus he concludes vaguely saying, 'security, after all is nothing but the absence of the evil of insecurity, a negative value to speak'.<sup>1</sup>

Having used the term 'vital values' extensively, no scholar of this school has been able to give a precise meaning to this term. However, as derived from the above definitions, if the objective of national security is to create national consensus, then the question arises that, is it possible in a highly stratified society dominated by a ruling elite?

Then comes another group of scholars who consider the maintenance of sovereignty and territorial integrity as the basic security duty of the nation-state. According to Berkowitz and Bock, "national security is the protection of state from external dangers".<sup>2</sup> Another name which is worth mentioning here is Almond; he maintains that security is, "the allocation of resources for the production, deployment

---

1 Wolfers, Arnold. **Discord and Collaboration**. Baltimore, Md., John Hopkins Press, 1962, p. 147.

2 Berkowitz, Morton and P.G. Bock (eds.) **American National Security : A Reader in Theory and Policy**. The Free Press, 1965.



and employment of what we might call the coercive facilities which a nation uses in preserving its interests".<sup>3</sup>

There is yet another group of scholars who try to deal with a wider scope of national security. For example, Danus defines security as the "prevention of property damage, injury and loss of life caused by military means, as well as the limitation of such damage, casualty and death in the event of war".<sup>4</sup> In the same line, Handriender and Buel conceive security to be "the protection of a nation from all types of external aggression, espionage, hostility, reconnaissance, sabotage, subversion, annoyance and other inimical influence".<sup>5</sup>

Thus, what is common among all the three groups of this school is the overemphasis on military aspect of a nation-state's functions.

#### **(ii) NATIONAL SECURITY IN TERMS OF DOMESTIC-SOCIO-POLITICAL COHESION**

For the nations of Third World, national security poses serious dilemmas. Unlike Western Nations, less developed countries must balance the complex and often contradictory requirements of socio-economic and political development along with problems of internal stability and the requirements of national defence. Keeping this in mind, some of the leading theorists of national security make a departure from the Western concept of national security. One of the striking features of this school is that it tries to resolve

---

3 Ibid.

4 Danus, Lloyd. "Systems Reliability and National Insecurity". *Peace Research Reviews*, vol. 7, Nov. 1977.

5 Handriender, Wolfram, and Larry Buel. *Words and Arms*. Boulder, Colo, Westview Press, 1979, p. 79.

the conceptual meaning of national security without committing an error to fix a rigid operational meaning to the concept of national security and apply it world-wide.

Azar and Moon, on analyzing the problems of insecurity, set the following characteristics of national security in the Third World—

- i. defining insecurity in terms of violent external threat;
- ii. heavy emphasis on coercive behaviour power founded on military force;
- iii. understanding of security environment through ecological determinism; and
- iv. emulation of Western tools and techniques of security management.<sup>6</sup>

Barry Buzan, another great exponent of this school totally disagrees with the American notion of national security which only includes the military strength of a state. According to him, national security concerns the way of life of self-governing people including their socio-cultural-political and economic modes of organization and their right to develop their own rule.<sup>7</sup>

Davis Bobrow and Steve Chan denounce the idea of applying the American notion of national security to the Third World countries on the ground that it would be treating national security as calling for levels of military and economic capabilities far beyond the Third World's financial, organizational and technological strengths. Consequently, they develop a more

---

6 Azar and Moon (eds). **National Security in the Third World: The Management of Internal and External Threats**, Edward Elgar Publishing Limited, England, 1988, p.6.

7 Ibid., p.17.

inclusive framework of national security which includes multi-lateral diplomacy, complex interdependence and sharp status discrepancies.

Making the argument more convincing, Azar and Moon give three different dimensions of national security. They are —

- i. Security Environment; that is the indicator of external threat and alliance pattern.
- ii. Hardware; that includes the physical capabilities, strategic doctrines, force structure and weapon choice.
- iii. Software; political legitimacy, integration and overall policy capacity.

Two other important theorists of this school, Hans S. Park and Kyung A. Park agree with Azar and Moon and subsequently maintain that national security is as much a psychological concept as it is a physical one and to give an authentic touch to their observation, they cite the example of nuclear arms race between U.S.A. and erstwhile U.S.S.R. during the cold war period. Examining the case of China and North Korea, these two theorists argue that ideology does play a crucial role in influencing overall security management and performance.

In the process of developing a truly systematic theory of national security, the scholars of this school make a detour from the conventional view which perceives national security from the point of military power and external threats. Earlier studies made no attempt to provide any link between economic development and national security. However, Esthan Kapstein, argues that national security considerations have played essential roles in shaping the nature and direction of



TH6807

economic development strategy through direct military funding and state support of defence related industries.

It is very much important to point out here that none of these theorists disagrees with the Western theorists' views of military strength as the basis of national security. What they tend to point out here is that though military strength is one of the important basis of national security, it is not the only basis.



**(iii) REGION AS THE BASIS OF NATIONAL SECURITY**

An alternative approach to analyze national security is through the category of security complex provided by Barry Buzan. "A security complex is defined as a group of states whose primary security concerns link together sufficiently closely that their national security cannot be realistically considered apart from one another".<sup>8</sup> Security complexes are neither permanent nor internally rigid. There are several characteristics which tie together a security complex, i.e., geographical, political, strategic, historical, economic or cultural — also states outside the complex play a major role within it, without the complex being central to their concerns.

To give a clear impression about the concept, Barry Buzan uses South Asia as a clear example of the middle-level security complex. The heart of their complex is the rivalry between India and Pakistan, two larger states whose insecurities are so deeply intertwined that their national securities, particularly in terms of political and internal security cannot be separated. A number of less powerful states including Bangladesh, Bhutan, Nepal and Sri Lanka are bound into the complex because of the

TH-6807

8 Barry Buzan. **People, States and Fear: The National Security Problem in International Relations**. Transasia Publishers, New Delhi, 1987, p. 106.

V, 1114535012 IN 1

geographical reasons, whereas Burma provides a neutral buffer between South Asia complex and South-East Asia complex. China though being an important actor does not feature in the complex because South Asia is relatively peripheral to its primary security concern. "What binds the South Asian security complex together is the dominant role of local issues and relations in defining the national security priorities of states within".<sup>9</sup>

Security complex offers an approach to security which requires both the macro level of great power impact on the system and the micro level local state relations. Thus, it emphasizes the mutuality of impact between them with external influences tending to amplify local problems and local problems shaping and constraining external influences and entanglements.

#### **INTERNAL SECURITY: THREATS TO AND RESPONSE OF INDIA**

For a large developing country like India, the second most populous one in the world and with the potential to develop into a major power, national security does not merely mean safeguarding territorial boundaries. A total integrated approach to national security would encompass both our external security and internal security along with the economic, social, political and technological development of the country. However, this paper tends to examine the internal-legal dimensions of national security of India. It faces the internal problems of political instability, primordial mobilization undermining political integration and high incidence of violence. This nation in the making, despite the values of composite culture, faces

---

<sup>9</sup> Barry Buzan. **People, States and Fear: The National Security Problem in International Relations**. Transasia Publishers, New Delhi, 1987, p. 106.

the problems of anti-systemic movements, be it in the North-East (since independence), Punjab (1980s) and Kashmir (late 1980s) in their internal dimension. The domestic and the regional movements get intertwined here and manifest in foreign states lending political and material support to terrorist acts. These impinge on the normal tranquillity of the country since it disrupts the electoral and the political process. It is viewed as a crime by the upholders of the values, structures and processes of the Indian political system.

Unlike the countries in the neighbourhood, India has enjoyed relative political stability. Except for the 20 months during the period of Emergency, there has been no real threat to the democratic system, which so far has been functioning reasonably smoothly since independence notwithstanding its conspicuous failures. It is because of these failures, the country is passing through a period of uncertainty and drift which, if not halted, can lead to dangerous consequence, possibly chaos. It is difficult to point out any single factor, responsible for the state of violence, insecurity and the present situation in the country. There are, of course, many and a few notables among them are: the problem of Jammu and Kashmir, Khalistan Movement in Punjab, Secession Movements in the North-East, Jharkhand Movement, Darjeeling Agitation, Naxalism, People's War Group in Andhra Pradesh, besides common problems like regionalism, linguistic chauvinism, tribal vs non-tribal, hill vs. plains people, Ram Temple-Babri Masjid controversy, caste politics in Bihar and Uttar Pradesh, etc.

These are the major threats to the internal security of India. Subsequent parts of this Chapter will examine the existing legal framework

which deals with these aspects of internal security. The Indian Constitution and subsequent legislations and amendments have provided a legal framework to promote internal security.

#### **INDIAN PENAL CODE:**

Chapter VI and Chapter VIII of the Indian Penal Code deal with the offences related to the internal security of India. Chapter VI deals with the offences against the state and prescribes punishments for it. Section 121 of this chapter reads that “whoever wages war against the government of India, or attempts to such war, or abets the waging of such war, shall be punished with death, or imprisonment for life, and shall also be liable to fine”.<sup>10</sup> This section embraces every description of war, whether by insurrection or invasion. By ‘waging war’, it is referred to the attempt to accomplish by violence any purpose of a public nature. Section 122 of the Code is to put down with a heavy hand, any preparation to wage war against the Government of India. Section 124 deals with offences related with assaulting President and Governor, with intent to compel or refrain the exercise of any lawful power. Probably one of the most controversial part of the I.P.C. has been dealt with in Section 124 [A]. It reads: “Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law in India, shall be punished with imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years to which

---

10 Justice M. Hidayatullah and V.R. Manohar. **The Indian Penal Code**. Wadhwa and Company Law Publishers, Nagpur, 1995, p. 137

fine may be added, or with fine”.<sup>11</sup> It has been made clear that criticism of public measures or comment on governmental action, however strongly worded, within reasonable limits and consistent with the fundamental rights of speech and expression is not affected. It is only when the words have the provocative tendency or intention of creating public disorder or disturbance of law and order that the law steps in. Section 125 and 126 deal with the offence of war against a power at peace with the Government of India. Section 128, 129 and 130 deal with the offence of permitting or negligently suffering the escape of, or rescuing, or harbouring a state prisoner.

Chapter VIII of the Indian Penal Code, titled ‘Of Offences Against the Public Tranquillity’ is a large chapter which covers 20 sections. The offences in this chapter may be classified in the following four groups —

### **1. Unlawful Assembly**

- i. Being a member of an unlawful assembly [Ss. 141, 142, 143]
- ii. Joining an unlawful assembly armed with deadly weapons [S.144]
- iii. Joining or continuing in an unlawful assembly knowing that it has been commanded to disperse [S.145]
- iv. Hiring of persons to join an unlawful assembly [S.150]
- v. Harboring of persons hired for an unlawful assembly [S. 157]
- vi. Being hired to take part in an unlawful assembly [S. 158].

### **2. Rioting [Ss. 146, 147]**

- i. Rioting with deadly weapon [S. 148]
- ii. Assaulting or obstructing a public servant in suppression of riot [S. 152]
- iii. Wantonly giving provocation with intent to cause riot [S. 153]

---

11 Justice M. Hidayatullah and V.R. Manohar. **The Indian Penal Code**. Wadhwa and Company Law Publishers, Nagpur, 1995, p- 141



- iv. Liability of the owner or occupier of land on which an unlawful assembly is held or a riot is committed. [S. 154]
- v. Liability of the person for whose benefit a riot is committed. [S. 155]
- vi. Liability of the agent of owner or occupier for whose benefit a riot is committed. [S. 153-A]

### **3. Promoting enmity between different classes [S. 153-A]**

### **4. Affray [Ss. 159, 160]**

Section 146 and 147, take a serious note of rioting. “Whenever force or violence is used by an unlawful assembly or by any member thereof, in prosecution of the common object of such assembly, every member of such assembly is guilty of the offence of rioting. Whoever is guilty of rioting, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both”.<sup>12</sup>

### **THE NATIONAL SECURITY ACT, 1980**

This act which falls under the category of Preventive Detention Laws of India, was enacted in 1980 and extends to the whole of India except the state of Jammu and Kashmir. This act empowers the Central Government as well as the State Governments to pass orders to detain certain persons [either an Indian or a foreigner]. The maximum period for which a person may be detained in pursuance of any detention order shall be twelve months starting from the date of detention, which can further be increased by the recommendations of an Advisory Board. According to the provisions of the Act, following are the grounds of detention —

---

12 Justice M. Hidayatullah and V.R. Manohar. *The Indian Penal Code*. Wadhwa and Company Law Publishers, Nagpur, 1995, p- 159.

- “(1) If the Central Government or the State Government
- a) is satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to the defence of India, the relations of India with foreign powers, of the security of India, or
  - b) is satisfied with any respect to any foreigner that with a view to regulating his continued presence in India or with a view to making arrangements for his expulsion from India,
- (2) If the Central Government or the State Government is satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to the maintenance of public order or from acting in any manner prejudicial to the maintenance of supplies and services essential to the community, it is necessary to do so, make an order directing that such person(s) may be detained”<sup>13</sup>

#### **THE TERRORIST-AFFECTED AREAS (SPECIAL COURTS) ACT, 1984.**

Amidst the disturbed law and order situation because of the criminal activities of terrorist outfits in certain parts of the country, the President of India promulgated this ordinance on 14th July 1984 which was subsequently approved by the Parliament. This act extends to the whole of India except the State of Jammu and Kashmir. Section 3 of this Act empowers the Central Government to declare an area to be a terrorist affected area and to constitute such area into a single judicial zone or into as many judicial zones as it may deem fit. Section 4 empowers the Central Government to establish courts in relation to judicial zones inside or outside the state. One of the most striking features of this Act has been dealt with in Section 10 which prohibits

---

13 B.V. Kumar. **Preventive Detention Laws of India**, Konark Publishers, New Delhi, 1991, Appendix-1, pp- 1-2. 27

grant of anticipatory bail in cases involving specified offences committed in terrorist affected areas. Again, a special court can enhance the maximum limit of period of remand in police custody from 15 days to 30 days.

This act has been applied in past to deal with the terrorist affected areas of Punjab, Rajasthan, Maharashtra, Uttar Pradesh, Nagaland, Arunachal Pradesh and Manipur.

### **THE TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) ACT [TADA] AND AFTERMATH**

Amidst the unusual terrorist activities mostly in Punjab, Chandigarh and Kashmir, this Terrorist And Disruptive Activities (Prevention) Act was enacted in 1985 for 2 years. The preamble to the Act reads: "Special provisions are made for the prevention of and coping with terrorist and disruptive activities and the matter connected therewith and incidental thereto".<sup>14</sup> The present Terrorist And Disruptive Activities (Prevention) Act which was repealed in 1995, was originally enacted for 2 years in 1987 and consisted of 30 sections in 4 parts. Because of the shortage of space and time it is not possible to deal with all the provisions of TADA. Therefore, some important and controversial provisions made under TADA are discussed below —

Section 3 of the Act defines a terrorist act and provides for various stringent punishments. The term 'terrorist activities' contemplates 'the commission of any specified offence or offences with the specific intention to overcome the Government

---

14 S.K. Ghosh. *Terrorism : World Under Siege*, Ashish Publishing House, New Delhi, 1995, Appendix-c, P-515

as law of establishment or to strike terror in the people or to alienate any section of the population or affect the harmony among various sections of the people of the country".<sup>15</sup> The activity ought to be punished under Section 3 has to be such which cannot be classified as a mere law and order problem, or disturbance of public order, or even tempo of the life of any specified locality, but is of the nature which cannot be tackled by the ordinary penal law by Law Enforcement Agencies. Section 4 of the Act defines disruptive activities as "any action taken, whether by act or by speech or through any other media or in any other manner, whatsoever, which accessions, disputes or is intended to disrupt whether directly or indirectly the sovereignty of India, or which is intended to bring about or support any claim, whether directly or indirectly the sovereignty, for the secession of any part of India from the Union".<sup>16</sup>

Following are some of the controversial sections of TADA which were subjected to severe criticisms. Section 5 of TADA made possession of certain unauthorized arms in specified areas an offence punishable with imprisonment. This provision of TADA has been heavily criticized for the fact that it was wide and indiscriminate in its operation and covered both authorized and legitimate possession of arms and ammunition and also possession of arms and ammunition intended to be used for terrorist activity. It has been pointed out that unless there is a relation between the weapon and the possessor's intention to use it, the detention is arbitrary.

---

15 S.K. Ghosh. **Terrorism : World Under Siege**. Ashish Publishing House, New Delhi, 1995, Appendix - e, P. 520.

16 Source: From the Proposed Bill Titled: **The Terrorist and Disruptive Activities (Prevention) Bill**, 1987.

Section 15 of the TADA made provisions that a person might be detained in police custody for a maximum period of 60 days. Moreover, a detainee under TADA may not be produced before a judicial magistrate as is required by law. He may be produced before an executive magistrate or administrator who is not answerable to the High Court. There was a provision in this section that a person can be detained upto one year before being charged. The provisions of this section greatly enhanced the police torture. It is also a clear violation of Article 9 of the International Covenant of Civil and Political Rights of which India is a signatory.<sup>17</sup>

Section 19 of the TADA reads that “notwithstanding anything contained in the Code, an appeal shall be as a matter of right from any judgement, sentence or order, not being an interlocutory order to the Superme Court both on facts and on law”.<sup>18</sup> The appeal was to be filed within 30 days instead of the normal 60 days. It was, needless to say, difficult for most people to file the appeal in time by engaging a capable lawyer. An appeal to the Supreme Court involved considerable expenditure which many detainees found beyond their means to incur.

The weakness of TADA lies in the fact that it had been used rather misused extensively. Never did one expect that it would be misused on such a large scale. In the name of terrorism, the innocents have been put behind the bar because of politicians’ personal pique. When a state like Gujarat, which has no history of

---

17 S.K. Ghosh. **Terrorism : World Under Siege**. Ashish Publishing House, New Delhi, 1995.

18 Source: From the proposed Bill titled: **The Terrorist and Disruptive Activities (Prevention) Bill, 1987**.

terrorism, detains some 1,500 people under TADA what motive could have goaded the authorities except personal or political vendetta ?<sup>19</sup>

Ineffectiveness of TADA can be judged from the fact that as many as 95 per cent of cases registered under the Act have been rejected by the Courts. Moreover, Home Ministry statistics and reports revealed that the conviction rate in the cases tried by the designated courts set up under TADA had been less than one per cent in the decade since its enactment. No doubt, terrorism is neither legally justified nor ethically acceptable. It is a crime against the people and the country. But care has not been taken to distinguish between the terrorist and the innocent.

However, the 10 year old controversial Terrorist And Disruptive Activities (Prevention) Act or TADA lapsed on May 23, 1995. But five days prior to that, a new bill called the Criminal Law (Amendment) Bill, 1995 was introduced in the Rajya Sabha to replace TADA, which subsequently became the Criminal Law (Amendment) Act, 1995 after getting Presidential assent.

#### **CRIMINAL LAW (AMENDMENT) ACT, 1995**

This criminal law (amendment) of 1995 abolished five provisions in TADA which were considered draconian and introduced six additional safeguards against misuse of the Act.

The Act deleted Section 5 of the TADA which made unauthorized possession of arms an offence as the Arms Act already provides for punishment for such an

---

19 Source: Written data from "Black Laws and White Lies" a Report released by the People's Union For Democratic Rights in May, 1995.

offence. Section 15 of the TADA which provided that confessions made to a police officer are admissible in evidence was also deleted. Section 20 (8) which provided that a court shall not grant bail unless it is satisfied that there are reasonable grounds for believing that the accused is not guilty, was also deleted. Section 21 (1) (c) and (d) providing that [i] if it was proved that one of the accused had made a confession that another person had committed the offence, it shall be presumed the other accused has committed the offence, and [ii] if it was proved that an accused had made a confession to any other person other than a police officer, it shall be presumed he has committed such offence, were also deleted. Section 3 of the TADA which details the definition of terrorist has been amended to leave out those “who intend to alienate any section of the people or adversely affect the harmony amongst different sections of people”.

The safeguards provided in the new legislation are as follows —

- i. “It will be provided for the definition of “terrorists acts” and “disruptive activities” and will provide for a different punishment for the perpetrators of these offences as well as for people who attempt or abet such activities.
- ii. It will provide for setting up of special courts so that cases are decided separately.
- iii. It will have provisions relating to forfeiture of property belonging to the accused and protection of the witnesses.
- iv. Since it takes long time to investigate into terrorist offences, there will be police custody of 30 days and judicial custody of six months. Judicial remand in the first instance will be upto three months and additional 3 months will be given only after the court is satisfied that

additional time is needed and the investigations are progressing satisfactorily.

- v. It will provide that vexatious, malicious or corrupt actions by the police are made punishable with imprisonment upto a year.
- vi. As suggested by the Supreme Court, investigation of cases relating to terrorism should be done by an officer not lower than that of an Assistant Superintendent of Police<sup>20</sup>.

After going through all these provisions for the maintenance of Internal Security a question arises, whether or not all these provisions are sufficient? The answer to this pertinent question lies with the fact that it is high time India needed a more precise articulation of a security doctrine. Unfortunately there has not been any. There is growing demand for an end to the politics of confrontation and its replacement with the rule by consensus and also for decentralization of authority.

---

20 Source: **Criminal Law (Amendment) Bill, 1995.**



## **CHAPTER III**

### **COUNTERING TERRORISM : I**

#### **GOVERNMENT POLICIES — RESTORATION OF ELECTORAL PROCESS**

Every country, with its political system, national objectives, administrative set up and decision-making process at the national level, generates its own strategy for national security keeping in view both its internal and external dimensions. India has a long experience of internal strife and armed insurgency, which began to receive greater attention particularly for sustained anti-terrorist campaigns. The Indian decision-making structure in relation to the maintenance of internal security is ad hoc and unilateral. The founding fathers of the Indian Constitution apparently could not perceive the future threats to the internal security of the country and hence they did not evolve or define the decision-making process for the evolution of security policy. From time to time demands for National Security Council are made.

Emphasizing the commitments for democratic norms, our founding fathers made provisions for a dual system, where the responsibility of internal security is largely handled by the State police forces and at times by specially trained armed constabulary and paramilitary forces [which are put under the control of Ministry of Home Affairs]. However, if the internal violence escalates, as in the case of Punjab and Kashmir, the probability of deploying the armed forces [under the Ministry of Defence] also increases.

Under the constitutional set up of India, 'police' and 'public order' are the responsibility of State Governments. However, the Ministry of Home Affairs,

monitors trends and developments in the law and order situation and matters relating to the internal security of the country. Accordingly, there is a separate department called ‘The Department of Internal Security’ which is designated to deal with all matters relating to internal security, i.e., police, law and order and rehabilitation. However, because of the typical nature of Indian Parliamentary Democracy, this set up is not being followed all the time. For instance, during the premiership of Rajiv Gandhi, there was an independent Minister in the charge of internal security and also during P.V. Narasimha Rao’s tenure, Rajesh Pilot was there for quite some time as the Minister-in-Charge of Internal Security. As there is no clear demarcation of functions and powers between the Home Ministry and Internal Affairs Ministry, and it has been a practice to keep the Department of Internal Security under the Ministry of Home Affairs, therefore very often, it results in confusion among the executives.

The Cabinet Committee on Political Affairs [CCPA] is designed to analyze and evaluate the external situations, provide directions and policy to the Government for the maintenance of the internal security of the country. Following is the nature of composition of CCPA —

Chairperson	—	Prime Minister
Members	—	Minister of Home Affairs Minister of External Affairs Minister of Defence Minister of Human Resources Development Minister of Finance

However, if we look into the functioning of different CCPAs, constituted since independence, it becomes clear that CCPA can only be as the Prime Minister want it to be. It is pertinent to mention here that neither the composition nor the

functions of CCPA is statutory. Also the CCPA do not have adequate staff structure to carry out its responsibilities.

Apart from the CCPA, there is a Chief of Staff Committee, the Joint Intelligence Committee and the Joint Planning Staff, created within the Cabinet Secretariat and are entrusted to take stock of the security conditions of the country. Yet lack of clear demarcation of responsibilities and lack of proper coordination has made these committees function far below requirements and importance. Furthermore, if India's system of evolution of national strategy and the decision-making process in the national security policy and planning was to be gauged against the challenges India is facing now, then one finds that not enough serious thought has been given to this need, in fact, adhocism is so evidently visible.<sup>1</sup> Moreover, apart from the decision-making structure of India in relation to its internal security, certain provisions of the Constitution of India, has provided a special status to the State of Jammu and Kashmir [J&K]. Therefore, it is necessary to examine the administrative set up of J&K along with this discussion which further helps a better understanding of the policy formulation and implementation in relation to the abnormal period of 1989 to 1995.

A study about the administrative apparatus in J&K would reveal the fact that it has always been fragile and prone to rifts between Central and State machineries of administration. For a better understanding of the provisions made in the Constitution about the governance and decision-making process in J&K, it is important to mention

---

<sup>1</sup> Col. Ravi Nanda. **National Security: Perspective, Policy and Planning**. Lancer Books, New Delhi, 1991, p. 205.

some points of Article-370 of the Indian Constitution which gives a special status to the State of Jammu and Kashmir.

1. “(b) The power of Parliament to make laws shall be limited to —

- i. Those matters . . . which in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession.
- ii. Such other matters . . . as with the concurrence of the Government of the State, the President may order specify.

Provided further that no order which related to matters other than those referred in the last preceding provision shall be issued except with the concurrence of the government”<sup>2</sup>

Soon after its inception, Article 370, has been a subject of heated nation-wide controversy. Subsequent changes have led to the dilution of political autonomy and this has been accompanied by manipulation of the political and electoral process in the state. But an impartial political observer would never deny the fact that Article 370 is being grossly misused by vested interests. The dismissal of the Government of Sheikh Abdullah and his replacement by Bakshi Gulam Mohammed in August 1953; again in 1963 Bakshi Gulam Mohammed had been asked to resign and Khwaja Shamsuddin was appointed as the Chief Minister; in 1964, Khwaja Shamsuddin was replaced by Gulam Mohammed Sadiqi and further in July 1984 Farooq Abdullah was replaced by G.M. Shah; all these incidents speak volumes about the (mis)use of

---

2 Article 370 — Constitution of India.

Article 370. It is not important that whether Article 370 be retained or scrapped, what is more important is that the whole framework of Centre-State relationship requires a thorough revision, and the case of Jammu and Kashmir, with all its specificities needs a new look.

Another issue which needs to be examined in the relevance of dual constitutional provision which often tends to create conflicting situations which may lead to the complete breakdown of Constitution. For example, the Governor of Jammu and Kashmir is empowered by the Constitution of Jammu and Kashmir, to dissolve the Legislative Assembly if he is satisfied that, the Government of the State cannot be carried on in accordance with the provisions of J&K Constitution. Legally and Constitutionally, the Governor need not consult the Centre regarding the decision to dissolve the assembly. However, this provision whenever applied created major problems and chaotic conditions in the governance of the State. Later, in this chapter the controversy about Jagmohan's use of this power and its serious implications has been discussed.

Unfortunately, India's record on Jammu and Kashmir, to a large extent, is the result of a 'personality centred' rather than an 'institutionalized' decision making as far as the office of the Governor is concerned. It is often found that the change in the power structure at the centre has always resulted in a change in the power structure of the State. Moreover, Ved Marwah observes, "Appoint a former army general as the Governor, and when he is not able to perform any miracle, replace him with a known hardliner like Jagmohan; and again replace him within four months by a former head of the Research and Analysis Wing, as if all that was required to retrieve the situation

was a change in the Governorship”.<sup>3</sup> The ‘Creation of several power centres’ has always blocked the process of policy formulation in Kashmir. All this is being discussed at length below.

The administration of Kashmir has been controlled by New Delhi through its Governors since 1990. So in order to have a better understanding of the Government policies, this discussion has been divided into different parts according to the changes of Governors and changes of the Government at New Delhi.

- i. Jagmohan as the Governor with the National Front Government at the Centre.
- ii. G.C. Saxena as the Governor with Mr V.P. Singh as the Prime Minister.
- iii. G.C. Saxena as the Governor with Chandra Shekhar as the Prime Minister
- iv. G.C. Saxena as the Governor with P.V. Narasimha Rao as the Prime Minister.
- v. Gen. K.V. Krishna Rao as the Governor with P.V. Narasimha Rao as the Prime Minister.

#### **GOVERNORS RULE UNDER MR JAGMOHAN WITH THE NATIONAL FRONT GOVERNMENT IN THE CENTRE**

As soon as Mr Jagmohan was appointed as the Governor for the second time, Dr Farooq Abdullah resigned on the evening of 18th January 1990. Soon after Jagmohan took charge, there was a sudden change of approach in the counter-terrorist measures. In fact, it was apparent from the moves of New Delhi that Jagmohan had been appointed with a belief that a tough stand needed to be taken by the Indian State. Subsequently, Jagmohan resorted to a police cum emergency approach with

---

3 Ved, Marwah, **Uncivil Wars: Pathology of Terrorism in India**. Harper Collins Publishers, India, 1995, p. 60.

emphasis on instant solutions and quick fixes. Apparently, neither Jagmohan nor the National Front Government realized the fact that militancy in Kashmir was not a law and order problem; it was a political problem and had to be dealt politically. This second term of Jagmohan witnessed several wrong directions to the security forces which resulted in severe loss of civilian life and property and ultimately turned the confused masses to be anti-Indian. To make the situation worst, Jammu and Kashmir had a very inexperienced police leadership with Director General of Police [DGP], Saxena as its leader. Things would have been in a different shape, had the National Front Government appointed an officer from J&K police as its chief. Because it could have boosted the morale of J&K police and resulted in their confidence building. Later events only proved the fact that neither DGP Saxena had confidence in the J&K police force nor had he enjoyed the confidence of the J&K police.

On 19th January 1990, before leaving for Jammu, the DGP had ordered large scale searches at Chota Basar and Gùru Bazar. A large number of youngmen were detained by Central Reserve Police Force [CRPF] for screening and this caused anger and panic among the masses which were fully exploited by the militants. The majority of the masses of the valley turned against these searches and took over the streets of the city. Moreover, there was nobody to take control of the situation; both the police and CRPF had disappeared from the city streets. Never before the whole masses were completely antagonized to India. “While Jagmohan himself was not responsible for what took place, as a symbol of a larger political force he was, for

Saxena and Joginder Singh, IG, CRPF were inspired to do what they did because they believed in the ideology that Jagmohan represented".<sup>4</sup>

However, Jagmohan with his advisor Ved Marwah arrived at Srinagar on 21st January 1990 and after discussing with the Corps Commander, Lt General M.A. Zaki, decided to handover the city to the Army. This was the beginning of the collapse of civilian administration in the valley. Afterwards, what happened is a black spot on the part of policy makers and administration, i.e., both civil and military. On 21st January itself, soon after Jagmohan's arrival at Srinagar, the CRPF resorted to firing upon a morcha of 20,000 people demonstrating against the armed forces atrocities in Srinagar, killing at least 60 people.<sup>5</sup> In such a tragic incident, the Governor decided not to initiate any action against the erring official. Instead "the Governor succumbed to the usual plea that taking action against the police would demoralize the force".<sup>6</sup>

J&K police, on the other hand, was not very much satisfied with its position. None of the senior J&K police officers were consulted regarding the counter terrorist operations. Their own chief, DGP Saxena, had more faith upon the paramilitary forces than his own forces.

It was felt that the existing intelligentsia and administration might not be well equipped to note the growing resentment among the J&K Police Force. On the other

---

4 Aditya, Sinha, **Farooq Abdullah : Kashmir's Prodigal Son**, USB Publishers Distributor Ltd., New Delhi, 1996, p. 229.

5 **The Times of India**, 21st January 1990.

6 Ved, Marwah, **Uncivil Wars: Pathology of Terrorism in India**, Harper Collins Publishers India, 1995, p. 80.



hand, the militants were clever enough to come out with a plan to exploit the situation. On 22nd January 1990 rumour was spread that some J&K policemen were killed by the CRPF and this was sufficient for the annoyed J&K Police Force and a large number of J&K policemen took out a procession shouting slogans against India. An embarrassed and confused DGP Saxena could not think any other alternatives but to give orders for the use of force. However, well calculated moves of some senior officials, including that of the Advisor to Governor, Ved Marwah resulted in diffusing the situation without bloodshed. However, the Government did nothing to restore the confidence of J&K Police Force except the decision to remove one hundred and one officers from service, because with this strike it was clearly evident that there were some anti-Indian elements in J&K Police Force. At the same time the Governor overlooked other demands like, assigning them a greater role in anti-terrorist campaign, etc.

Jagmohan's forces continued to deal with the situation with massive use of force. In the words of Maj Gen. Karim, "Jagmohan and his two advisers, both from the police, had given 'state repression' a policy status, as such the security forces under their command were using lethal force for the express purpose of weakening or destroying the will of the population to carry on their movements".<sup>7</sup>

Those were the conditions when Jagmohan decided in a surprise move to dissolve the J&K Assembly on 19th February 1990. The dissolution completely blocked the political process and achieved little except creating serious difficulties

---

7 Maj. Gen. Afsir Karim, AVSM [Retd.]. **Counter Terrorism: The Pakistan Factor.** Lancer International, New Delhi, 1991, p.118.

for the Governor.<sup>8</sup> As there were no grounds of holding elections in near future and without taking the centre into confidence, what prompted Jagmohan to take such a hasty decision is unknown. This decision of the Governor had its impact in both the ways. On the one hand while it resulted in a strained relationship with the centre, it also had severe adverse effects on the ground condition of the valley which at least was showing some signs of returning to normalcy. The Union Government under V.P. Singh, on its part, set up an All-Party Advisory Committee on Kashmir which was largely seen as a move to put a check on Jagmohan.

The situation in the valley started deteriorating very fast. Protests became a regular feature while the Governor decided not to deal with them politically rather he decided to deal them by armed forces. In a situation of insurgency, all actions of security forces have to be weighed against political consequences of their actions.

Alarmed by the fast changing situations in the valley, the centre decided to send an all party delegation to Kashmir on 9th March 1990. The team included the Deputy Prime Minister, Devi Lal, two Cabinet Ministers, George Fernandes and Dinesh Goswami and Rajiv Gandhi. The delegation was sent with a view to reach a consensus on the Kashmir issue but it ended with creating further confusion and rumours. Rajiv Gandhi, used it as a platform to criticize and embarrass the Governor before the press. While, Jaswant Singh, the BJP M.P. made the situation more embarrassing by engaging in heated argument with Rajiv Gandhi. On the other hand George Fernandes was busy finding own ways to take control of Kashmir affairs. However, the delegation returned to New Delhi without arriving at any conclusions.

---

8 Ved Marwah. *Uncivil Wars: Pathology of Terrorism in India*. Harper Collins Publishers India, New Delhi, 1995, p. 86.

V.P. Singh Government in a well-calculated move, appointed George Fernandes as the Cabinet Minister for Kashmir Affairs and also constituted an Advisory Committee comprising representatives from various political parties. But the experiment also failed because both George Fernandes and Jagmohan were not interested to work as a team. Thus, a strange situation emerged with three power centres, i.e., the Home Minister, the Minister in-Charge of Kashmir Affairs and the Governor and all of them had their own way to look into the things. This further complicated the administrative conditions in J&K, it divided the bureaucracy into two camps, i.e., pro-Jagmohan and pro-Fernandes.

Jagmohan did not learn anything from the past mistakes. After the murder of Mirwaiz Farooq on 21st May 1990, when his body was taken out in a huge procession, the CRPF opened fire, killing 47 persons and the Governor decided not to take any action against the erring officials on the same plea that it will demoralize the forces. This, however, led to removal of Jagmohan. Finally, Jagmohan was relieved at the end of May 1990.

#### **GIRISH CHANDRA SAXENA AS THE GOVERNOR AND V.P. SINGH AS THE PRIME MINISTER**

Mr G.C. Saxena, a former RAW Chief, had taken over after Jagmohan's departure in July 1990. Perhaps alarmed by the unconventional war tactics of Pakistan in Kashmir, the V.P.Singh government appointed Mr Saxena as the Governor who was a seasoned intelligence expert and also had the experience as an advisor to two former Prime Ministers of India regarding the matters relating to internal security.

Soon after assuming office, Mr Saxena was convinced that the security and political situation would not allow to run the state government in accordance with the provisions of the J&K Constitution. Thus, in a right move, he recommended, and the State of Jammu and Kashmir was brought under President's rule on 18th July 1990. Another change also occurred in the decision making apparatus and that was with the appointment of Saxena, the post of a separate Cabinet Minister for Kashmir Affairs was also abolished. This shows that Mr Saxena enjoyed enough confidence of the Centre and this confidence of the Centre in its representative is very much necessary, particularly when he is tackling a highly explosive situation like Kashmir. Governor now wanted to get rid of the 'Police State' approach and tried to get back the confidence of the masses with more flexible methods. Perhaps his experience in organizing intelligence network made him highly secretive about his 'plans'. He dealt with the bureaucracy with a policy of 'need to know basis' and this possibly created annoyance with the bureaucracy, i.e., civil servants. In fact, one of the advisor of Governor, Ved Marwah, also felt being neglected and complains "how could this principle be extended to bypass the very people whose responsibility it was to deal with security matters, was something that most of us could not understand".<sup>9</sup>

Incidentally, the civil servants were already dissatisfied with their position in the government machinery during Jagmohan's tenure and with the policies of Saxena they got agitated and submitted a petition against the functioning of the government. Both the Governor and the Central Government took a tough stand and decided to transfer two senior I.A.S. Officers, Hindal Tyabji and M.L. Kaul to New Delhi. This

---

9 Ved Marwah. *Uncivil Wars: Pathology of Terrorism in India*, Harper Collins Publishers India, New Delhi, 1995, p. 103.

transfer was seen as a negative move against the civil servants and in a counter-move to target the Governor, they persuaded the state government employees to go on an indefinite strike. But why the Governor? He had joined two months back only and it is hard to understand why he was being blamed for the functioning of state government and its policies. And, unfortunately, all this happened when there were signs of returning to normalcy. Statistical reports of the Ministry of Home Affairs says, during this period, movement across the line of control from POK were sufficiently checked, security forces also succeeded in arresting Yasin Malik and Hamid Sheikh of JKLF and this major success had been achieved without much blood-shed.

But the honey-moon between the Centre and the Governor was short lived because of successive demands made by the BJP for the so-called tough policies. The V.P. Singh Government which was very much dependent upon BJP for its own survival decided not to dissatisfy them. Thus, in a significant development, the 'Disturbed Areas Act' was passed and accordingly the Kashmir Valley and 20 Kilometers belt of Rajouri, Poonch area was declared disturbed areas. This Act gave the armed forces a free hand to destroy any place harbouring terrorists or militants on the pretext of curbing terrorist activities. On the whole, "people, as such, did not find too much difference between the policies of previous and present Governor, except their tact of application of their plans against the supporters of the resistance".<sup>10</sup>

Meanwhile the state government employees were continuing their strike and the Governor was taking a hardline approach to diffuse the crisis. Incidentally, the

---

10 Nashir A. Naqash and G.M. Shah. *Kashmir From Crisis to Crisis*. APH Publishing Corporation, New Delhi, 1997, p. 141.

power equations at the centre changed and Chandra Shekhar became the Prime Minister with the Congress Support.

#### **GIRISH SAXENA AS THE GOVERNOR AND THE CHANDRA SHEKHAR GOVERNMENT IN THE CENTRE**

The change of power equations in New Delhi marked a sea change in the policy approach for Jammu and Kashmir. With the Congress in a better position of the new power structure, Dr Farooq Abdullah, managed to put enough pressure on the Government to soften its stand regarding the strike. However, with the help of National Conference leader, Saifuddin Soz, an agreement was reached with the striking employees and the Governor was virtually forced to accept all the demands. This put the Governor in an embarrassing situation and later events prove that he never regained his confidence after this episode.

The change of leadership at the Centre signalled a new approach for Kashmir. Mr. Chandra Shekhar seemed keen to revive the political process in J&K while continuing to combat terrorism with all its manifestation".<sup>11</sup> Mr Chandra Shekhar took a position where security organizations were to carry on their operation at the same time steps were to be taken for the revival of political, administrative and economic structures of the state. Ministry of Home Affairs also noticed the fact that gradually, at that particular period of time there was sufficient incidents of intergroup clash between the militant outfits. People in the valley were getting tired of unending violence. Sensing the developments the Government decided to revive the largest profit making sector of the state, that was tourism. However, this process received

---

11 Maj. Gen. Asfir Karim. **Counter-Terrorism: The Pakistan Factor**, Lancer International, New Delhi, 1991, pp. 221-22.

heavy jolt when the militants succeeded to kidnap two of the Swedish engineers who were working at the Uri-Hydro Power Project. Though this incident struck the revival of tourism, yet it proved to boomerang on terrorists. However, due to negative response from the masses, terrorists were forced to allow the kidnapped engineers to escape. The Chandra Shekhar government was also reasonable enough to understand that the removal of economic deprivation and unemployment could tone down the psyche of political alienation in Kashmir. Thus, "it was decided by the Government of India that unemployed youth of Jammu and Kashmir should be provided adequate employment opportunities both in Central and State Governments and also by self-employment".<sup>12</sup>

However, Chandra Shekhar's tenure as Prime Minister was too short to realize the results of any of those initiatives. Because of the withdrawal of support by Congress (I), Chandra Shekhar had to go and elections all over the country except Jammu and Kashmir took place in July 1991.

#### **G.C. SAXENA AS THE GOVERNOR WITH THE CONGRESS (I) GOVERNMENT AT THE CENTRE**

As a fall out of June 1991 elections, Congress (I) formed the government at the Centre with Mr P.V. Narasimha Rao as the Prime Minister. Though Congress (I) formed the government, yet it was very much a minority government at the time of its formation. The unstable political situation at New Delhi came as a boost for the militants. A series of strikes [*hartals*] were organized by militants in between 16th to 25th August. Though, the Governor, Girish Saxena, dutifully sent his reports,

describing the explosive situation of the valley, but apparently Rao's government was entirely preoccupied with the goal of its 'political survival'. Three times in the first 25 months of rule, Rao faced No Confidence Motions, brought against his government by the opposition.

However, in a significant development, it was decided by the 'coordination committee' of the state that most of the internal security operations would now be managed by the Border Security Force [BSF]. This move of the government generated some good response among the masses. Because earlier to it there were large scale complaints of human rights violation against CRPF who was also equally involved in the anti-terrorist campaigns.<sup>13</sup>

In spite of no clear-cut policy instructions from the Centre, the Governor and his advisors were trying to bring some coordinated efforts by the security forces. The Annual Report of the Ministry of Home Affairs indicated that the number of incidents during this period [1991] fell sharply in comparison to the previous years. But the Narasimha Rao Government due to its weak position, apparently did not want to take risks. B.J.P. and its allies were creating havoc in Parliament on a daily basis alleging large scale human rights violation in Jammu and Kashmir. Desperately, the Government was of the opinion that a change is necessary. However, 'the two police advisors [Mr Ved Marwah and Virendra Prakash] of the Governor were changed as they had acquired a bad image and who according to a majority opinion have played a havoc in the valley'.<sup>14</sup> It is one of the painful feature of the policy makers that

---

13 **Indian Defence Review**. July 1991, p. 25.

14 Maj. Gen. Asfir Karim. **Counter-Terrorism: The Pakistan Factor**, Lancer International, New Delhi, 1991, p. 123.



whenever there is a political change in New Delhi it always resulted with an administrative change at Srinagar.

However, taking advantage of the confused and preoccupied Rao government, militants accelerated their activity in 1992. A number of incidents of hostage taking and bombing rocked the valley throughout the year. Several unsuccessful attempts to cross the line of control were made. On the other hand, Pakistan was openly making claim of Kashmir. In February 1992, the then Prime Minister of Pakistan, Nawaz Sharif declared that 5th February to be celebrated as “solidarity with Kashmir” day. Strongly, the Pakistani Premier chose to declare this soon after a meeting with Indian Prime Minister in Davos, Switzerland. This made Narasimha Rao realize that he could not afford to neglect Kashmir any more. Army including the security forces were instructed to consolidate their operations in the valley. By the end of 1992, the security forces apprehended 2750 suspects and killed 2054 militants.<sup>15</sup>

However, as a fall out of the demolition of Babrie Mosque at Ayodhya, the condition of Kashmir deteriorated very fast. Alarmed by those incidents, Mr P.V. Narasimha Rao decided to take some bold steps for revitalizing the conditions of Jammu and Kashmir. In a deplorable incident 50 persons were killed in a firing by BSF on 6th January 1993. This resulted in the appointment of Rajesh Pilot as the Internal Security Minister and ultimately the appointment of a new Governor in March 1993.

---

15 A Statement made by the State Minister in PMO in the Parliament in March 1993.

**GEN. K.V. KRISHNA RAO AS THE GOVERNOR WITH  
MR P.V. NARASIMHA RAO AS THE PRIME MINISTER**

Gen. K.V.Krishna Rao, finally took the charge as the Governor of Jammu and Kashmir in March 1993. When he took over the charge, the general conditions were very much positive, i.e., a stable Government at New Delhi, a full-time independent Minister for the internal security and to some extent a clear-cut policy formulated by the Union Government for Kashmir. And later events proved that there were some level of understanding and coordination between the policies of the centre and strategies of the Governor.

During 1993, when Rajesh Pilot was the Minister for Internal Affairs, the centre had designed certain initiatives to regain the political process in Jammu and Kashmir. First, the Government was keen to revamp the administrative structure of the state. These included new appointments in both the military and civil administration. Consequently, a new Governor, Gen. K.V.Krishna Rao, succeeded Girish Saxena. Both the advisors of the Governor had also been changed, i.e., Ashok Jaitley, a senior I.A.S. Officer and a known 'soft liner' was appointed as the political advisor while Lt Gen. [Retd.] Md. A. Zaki, was appointed as the Military Adviser. Implementing the policy further, the governor changed a number of Deputy Commissioners. "Special attention was given to the task of reactivation of the local administration; District level Coordination Committee were set up under the Chairmanship of the Deputy Commissioners, with representatives of the local police, army and paramilitary forces with a view to increasing the position of the civil administration, providing need based security for field level

administrative functionaries and improving the overall access if the civilian population to the administrative machinery".<sup>16</sup>

On his part, Governor Rao, in several interviews and addresses, outlined a four part 'plan of attack' upon the ongoing insurgency. First, he said, military operations against the militants need to be relentlessly pursued, but this need to be done without alienating the people any further. Second, the state administration had to be made more honest, effective and responsive. Third, he said, 'I would like to hold elections as early as possible'. The older parties need to be reactivated, yet the militants would be free either to join them or to form their own. Fourth, the faith of the masses are to be won back. 'We can still do a cordon and search operation without hurting the sentiments of the people, it must be done in a reasonable and acceptable manner'.<sup>17</sup>

At that time, both the Union Government and the Governor were working on the same approach and those were not just plain talks. Concrete initiatives were certainly there. Appointment of 'soft liners', i.e., Governor Rao and his two advisors, Jaitley and Zaki on the one hand, and the instructions and initiatives of the Governor to revamp the administration are to prove this.

#### **ESTABLISHMENT OF THE UNIFIED COMMAND**

Military advisor of the Governor, Gen. Zaki's efforts to provide a unity of purpose to the entire lot of security forces operating in the state had resulted in the

---

16 Source: **Annual Report**, Ministry of Home Affairs, 1993-94.

17 Source: Department of Information, J&K Government, **Peace and Democracy, Selected Speeches of K.V. Krishna Rao**, 1996, p. 112.

idea of 'unity of command' structure. Its purpose was to institutionalize the coordination of counter-insurgency operations among the security forces, both to formalize the informal cooperation going on and to aid in duplication of functions.<sup>18</sup> Accordingly, the army was given the responsibility to defend the external border, but with expanded responsibility for internal security. The paramilitary forces retained primary responsibility for internal security. The army's role in internal security was extended, Zaki explained, and not its authority.

Though the Governor and his military advisor, both claimed the successful working of 'the unified command', yet there was sufficient evidence of dissent among the security forces about the nature and function of this unified command. The entire coordination of this concept has yet to be enforced, and the problem lies not only in the inability of most people to understand the concept in its entirety, but more important in the hesitation of the civilian agencies to work towards a larger national purpose in unity with the army".<sup>19</sup>

There is also a practical problem with the concept of the unified command. The paramilitary forces [BSF & CRPF] come under the jurisdiction of Ministry of Home Affairs whereas the Army is the sole responsibility of Ministry of Defence. Most importantly, both the army and the paramilitary forces maintain their own intelligentsia and there is no clear-cut instruction either from the Ministry of Home Affairs nor from the Ministry of Defence to share the intelligence reports. Hence, the

---

18 **Indian Defence Review.** July 1994, op. cit., p. 31.

19 Masoof Raza, **Wars and No Peace Over Kashmir**, Lancer Publishers, New Delhi, 1996, p. 95.

idea of “unity of command” has yet to attain the desirable “unity of purpose”, as numerous institutional biases have continued to undermine its efficacy.<sup>20</sup>

#### **PACKAGE OF PREVENTIVE PROCEDURAL RULE**

Taking notice of various complaints, alleging the excessive use of force by the security forces against the militants, the government declared a package of preventive procedural rules. It included —

- a) beefed-up counter-insurgency training of security troops;
- b) assignment of local magistrates and JKAP personnel as observers with BSF or army columns on cordon and search operations to prevent abuses and to provide local language assistance;
- c) required routine for prompt notification of families in event of arrests;
- d) formal one monthly screening of detainees by a committee chaired by the director general of police to expedite release of the innocent; and
- e) establishment of a mandatory procedure — via so-called speaking orders explaining the circumstances — for reporting custodial deaths to the Ministry of Home Affairs”.<sup>21</sup>

Another shift of policy was initiatives for talks with rebels. This had a two fold programme —

- [a] opening a dialogue with the moderate elements of Kashmiri militants,

---

20 **Indian Defence Review**. July 1994., op. cit., p. 31.

21 Source: A document titled: ‘**Package of Preventive Procedural Rules 1993**’ obtained from the Ministry of Home Affairs, New Delhi.

- [b] encouraging the state's erstwhile political leaders to resume political activity.

All these policies declared are very much positive and could have changed a lot if the government would not have neglected the Pakistan factor. It is true that for the problem in Kashmir some amount of 'soft element' is necessary but those soft elements should not be applied for the agents of trans-national terrorism. However, it is a very difficult task for the policy makers to define an all correct strategy to fight insurgency. "There is in every democracy, the ever present dilemma between surrender to the terrorist and the possibilities of excess on the part of the state".<sup>22</sup>

Thus, despite all those policy declarations there were no signs of improvement of the ground conditions during the year 1993-94. The most heinous event of the year, one could say, was the seizure of Hazratbal Shrine in Srinagar. In handling the crisis the government once again decided to use its age old theory 'tolerable level of violence'. Having allowed the militants for a week long exhibition of their weapons in August the administration suddenly decided to take some bold initiatives. Government was very much informed about the fact that for quite sometime the militants were using the shrine for their purpose. Earlier, the militants had burnt the library of the shrine, containing priceless books including the Holy Quran on 21st February 1992. Yet, why didn't the administration take any prevention? This itself poses a question mark upon the directions of our policy makers. However, after several rounds of discussions between the Government representative Mahmood-ur-Rehman and the militants, the siege was finally lifted on 15th November after 32

---

22 Maj. Gen. Arjun Ray. *Kashmir Diary: Psychology of Militancy*. Foreward by K.P.S. Gill, xiv, Foreward, Manas Publications, New Delhi, 1997.

days. The surrender by militants was a major set-back for them, the Government couldn't utilize the fall out of this episode in its favour.

By the end of 1993, both the domestic and international environment were such that everybody including policy makers, bureaucrats and general public were confident that Kashmir is not too far from normalcy. The reasons of hope were due to the setback the terrorists got from Hazratbal incident. And globally, Pakistan couldn't succeed to move a resolution against India at the U.N. Human Rights Convention at Geneva.

Since early 1994, Rao Government had been quietly implementing a policy designed to start political process in Kashmir. 'In a bid to ease tension and provide the required political focus to the situation further, means ending of gun culture. In this strategy also, a number of persons, who had been under detention, were released during the year 1994'.<sup>23</sup> First, Yasin Malik, the JKLF leader, was released on bail by the orders of the Supreme Court on 18th May. It was followed by the release of Shabir Shah of the People's League, then SAS Geelani of the JEI and A.G. Lone of People's Conference.

It was during this period that the Prime Minister decided to ease out Rajesh Pilot from the Ministry of Home Affairs [Internal Security]. Consequently, a separate Department of Jammu and Kashmir Affairs was created in November 1994, under the charge of the Prime Minister. Rao decided to take a middle path for the restoration of democracy in Kashmir. Hence, welfare programmes were started; roads, hospitals and schools were rebuilt and electoral rolls completed. At the same time, it was

ensured that newly raised battalions of Rashtriya Rifles as well as more Army personnel were deployed in the valley. This two fold policy was soon gaining its result. An increase in the number of clashes among various militant outfits during this year came as a positive response of this policy. 'The increase in the armed clashes are though perhaps directly related to the increased pressure on militants from the security forces yet they are also due to disenchantment of the people',<sup>24</sup>

The government strategy to fight terrorism, during the year, as stated by Mr Bhuvnesh Chaturvedi, the then Minister of State in the PMO was to continue sustained operations against, alongwith simultaneous efforts to promote conditions conducive to normalization and reactivation of the political process, acceleration of development works by securing people's participation and reinvigoration of the local administration.<sup>25</sup>

The year 1995 began with multiple blasts in the Maulana Azad stadium, Jammu on the Republic Day, which almost would have killed the Governor, General K.V. Krishna Rao. Apparently, the militants were very much frustrated with initiatives the government was taking to win back the people. The year 1995 also witnessed or number of high profile terrorist acts, such as burning of the township and shrine of Charar-e-Sharif [11th May], abduction of six foreign tourists [4th-8th July], bomb blasts in Jammu [20th to 26th July], bomb blasts in Srinagar [12th September], bomb blast in Anantnag [3rd December] and the list continues. These acts were some

---

24 Ved Marwah. **Uncivil Wars : Pathology of Terrorism in India**. Harper Collins Publishers in India, New Delhi, 1995, p. 139.

25 Source: **Statement Referred to in the reply to Rajya Sabha, Starred Question No. 2221 on 22-12-1994.**



of the clear signs of desperation intended to widespread disorder and create panic and terror among the people.

Since early 1994, there had been a marked change in all the three players involved with the Kashmir issue, i.e., the people of the valley, the Government of India and the Pak-sponsored terrorists. People of the valley were very much disillusioned and fed up with six years continuous blood shed and militancy. They were keen to lead a normal life. Also there was a considerable amount of frustration among the rank and file of several militant outfits due to Islamabad 's diplomatic set back at the United Nations Human Rights Commission, Geneva in 1994 and at the UN General Assembly in 1995. Above mentioned changes apart, Jammu and Kashmir remained under President's rules for six years and in a bid to avoid another constitutional amendment, the Rao Government took the decision on 4th November 1995 that it would timely to hold elections to the State Assembly in December 1995. The Governor, Gen. K.V. Krishna Rao, also in his periodical report to the Union Government expressed the desire for holding elections in the State. Consequently, the Union Government at the time of declaring polls, also declared a Kashmir package.

The Government of India's attempt to restore the electoral process in Kashmir can be divided into three phases —

- a) The preliminary phase
- b) Prime Minister's declaration of 'autonomy package' for Kashmir and declaration of election;

- c) Response of the various political parties and Election Commission's Rejection of the Government proposal to hold election in Jammu and Kashmir.

[i] PRELIMINARY PHASE

As a part of its strategy to revive the electoral process, the Government of India first decided to counter the Pakistan factor. Then to take certain steps which will send a message of Government's willingness to solve the Kashmir problem politically. As early as in 1993, during his independence day speech, the then Prime Minister of India, P.V. Narasimha Rao, denounced Pakistan sponsored terrorism in Kashmir and vowed that India would never loosen its grip on the state. "Let Pakistan do anything", he said, "Kashmir is a part of India. Nothing can take it away from us".<sup>26</sup> This Independence Day speech of Indian Prime Minister, itself indicated that India cannot afford to neglect the affairs of Kashmir any more. This sent a clear message that while the government was willing to take steps to bring back normalcy and conduct an election at an earliest possible date; it would take firm steps to handle the terrorists.

During 1994, both the houses of Indian Parliament passed an unprecedented resolution and pledged themselves that all attempts to interfere in the internal affairs of India by Pakistan would be met resolutely. In Lok Sabha, the resolution was moved by the Speaker, whereas in the Rajya Sabha, it was moved by the Chairman of Rajya Sabha, which declared that "the State of Jammu and Kashmir has been, is and shall be an integral part of India and any attempt to separate it from the rest of the

---

<sup>26</sup> **The Times of India**, August 16, 1993.

country will be resisted by all necessary means”<sup>27</sup> Some of the salient features of the resolution have been discussed below —

- It said the House noted with deep concern Pakistan’s role in imparting training to the terrorists in camps located in Pakistan and Pakistan-occupied Kashmir, the supply of weapons and funds, assistance in infiltration of trained militants, including foreign mercenaries into Jammu and Kashmir with the avowed purpose of creating disorder, disharmony and subversion;
- Reiterates that the militants trained in Pakistan are indulging in murder, loot and other heinous crimes against the people, taking them hostage and creating an atmosphere of terror;
- Condemns strongly the continued support and encouragement Pakistan is extending to subversive and terrorist activities in the Indian State of Jammu and Kashmir;
- Calls upon Pakistan to stop forthwith its support to terrorism, which is in violation of Simla Agreement and the internationally-accepted norms of inter-State conduct and is the root cause of tension between the two countries;
- Reiterates that the Indian political and democratic structures and the Constitution provide for firm guarantees for the promotion and protection of human rights of all citizens.
- Regards Pakistan’s anti-India campaign of calumny and falsehood as unacceptable and deplorable; and

On behalf of the people of India, firmly declares that :

- a) The State of Jammu and Kashmir has been, is and shall be an integral part of India and any attempts to separate it from the rest of the country will be resisted by all necessary means;
- b) India has the will and capacity to firmly counter all designs against its unity, sovereignty and territorial integrity, and demands that :

---

<sup>27</sup> Lok Sabha Bulletin (Part - I) , February 22 , 1994 , No. 260 .

- c) Pakistan must vacate the areas of the Indian State of Jammu and Kashmir which they have occupied through aggression; and resolves that :
  
- d) All attempts to interfere in the internal affairs of India will be met resolutely.

#### **DIPLOMATIC VICTORY AT GENEVA**

Indian diplomacy and its policy on Kashmir, got a major victory at the United Nations Human Rights Commission in Geneva when Pakistan was virtually forced to withdraw its controversial resolution on alleged human rights violation. A number of developing countries like Iran, China, Mexico, Brazil, Syria, and Indonesia urged Pakistan not to press for action on the motion as they pointed out, it would split the developing world. Also, some developed countries like Canada and Australia, expressed the similar view. This made Pakistan realize the fact that in any case it cannot get the resolution approved.

This particular victory of India at the United Nations Forum, helped a lot to restore confidence of the Indian policy makers. Subsequently, the government started fresh political initiatives to create grounds for free and fair election in Jammu and Kashmir.

#### **RELEASE OF KASHMIRI MILITANTS**

During the year 1994, the government released a number of persons who had been under detention, in a bid to ease tension and provide the required political focus to the situation. These included Shabir Shah of the People's League, SAS Geelani of JEI and A.G. Lone of the People's Conference. Yasin Malik of JKLF was released on

bail on the orders of the Supreme Court. In addition, large number of detained persons were released during the year. “The response of the people to such a move was generally found to be positive although continuing threats from a section of the militants against voices of moderation continued to act as an impeding factor in efforts towards restoration of peace”.<sup>28</sup>

### CONSTITUTION OF A MINISTERIAL COMMITTEE

In the beginning of 1994, the Prime Minister constituted a seven member ministerial committee on Kashmir affairs to accelerate the political process and work out a concrete plan of action for holding elections. The Committee consisted of —

S.B. Chavan	— [Minister of Home Affairs]
Pranab Mukherjee	— [Minister of External Affairs]
Dinesh Singh	— [Minister without Portfolio who later died]
P.Chidambaram	— [Minister of Commerce],
Rajesh Pilot	— [Minister of Internal Security - later shifted to Communication Ministry]
H.R. Bhardwaj	— [Minister of State for Law]; and
R.L. Bhatia	— [Minister of State for External Affairs] <sup>29</sup>

This Committee was entrusted with the task to prepare grounds for the installation of a popularly elected government to avoid further extension of President’s rule which involved to expire on July 18, 1996, a constitutional amendment.

---

<sup>28</sup> **Annual Report, Ministry of Home Affairs, 1994-95.**

<sup>29</sup> “Plan for J&K Poll” by Praful Bedweai, **Tribune**, May 8, 1995.

In continuation, a high level team headed by the Minister of State in the Prime Minister's Office, Bhuvnesh Chaturvedi, visited Jammu and Kashmir to take stock of the overall situation during 1st to 4th July 1995. The team visited Srinagar, Tangdhar [Distt. Kupwara], Anantnag, Doda and Jammu. Apart from meeting with the officials, the team also met political leaders and delegations from the public in all the above places. Two migrant camps in Jammu were also visited by the team. The broad assessment of the team were —

- a) The Development Administration has been rejuvenated and it is geared to utilize the entire plan outlay gainfully;
- b) After the Charar-e-Sharif incident, the general law and order condition has returned to the pre-charar incident days. However, the fear of the gun is still prevalent and security operations need to be intensified;
- c) The overall law and order and security situation can be assessed as under control although the militants may carry out clandestine sporadic terrorist activities in different parts of the state;
- d) The mood of the people is upswing and in a few months time, there may be more qualitative improvement;
- e) The mainstream political parties have increased their political activities in the state considerably including the Kashmir Valley although their mass contact is still limited on account of the fear of gun. The common masses feel increasingly oppressed by the militants' activities and are yearning for normalcy to return".<sup>30</sup>

#### **NARASIMHA RAO DECLARES ELECTION AND 'AUTONOMY PACKAGE' FOR KASHMIR**

In a significant political move, the then Prime Minister P.V. Narasimha Rao declared a political package for Jammu and Kashmir on the basis of 1975 India-

<sup>30</sup>

Statement in reply to Lok Sabha Starred Question No. 45, 2nd August, 1995.

Sheikh accord. Mr Rao's recorded statement was telecast to the nation on 5 November 1995 from the West African country of Burkina Faso, where he was on an official tour. The Government also formally communicated to the Election Commission on the same day regarding its intention to hold elections to the State Assembly by mid-December 1995. Following are the salient features of Rao's 'Autonomy Package for Kashmir'<sup>31</sup> —

- The Prime Minister said it was his Government's "endeavour to strengthen, within the Constitution, the autonomy of the State of Jammu and Kashmir, keeping in view the aspirations of the people".

To emphasize the evolving relationship between J & K and the rest of India, Mr Rao pointed out that "certain provisions of the Constitution of India were made applicable to the State, from time to time. The Constitution [Application to J&K] order 1950, the Delhi Agreement of 1952 and later the Constitution [Application to J&K] Order 1954 thus became a part of our statute".

- However, it was the 1975 agreement between Mrs Gandhi and Mr Abdullah on which the Prime Minister dwelt. "It was agreed that the Union of India, would continue to be governed by Article 370 of the Constitution of India", Mr said.
- "The Accord provided that the provisions of the Constitution of India which were applied to the State of Jammu and Kashmir with adaptations and modifications could be gone into on merits and be altered or repealed by the President under Article 370", Mr Rao said.
- He referred to Mrs Gandhi's announcement in Parliament on February 1976 that "the Constitutional relationship between the State of J&K and the Union will continue as it had been and the extension of further provisions of the Constitution to the State will continue to be governed by the procedure prescribed in Article 370.

---

<sup>31</sup> Source: A Document titled **Autonomy Package For Jammu and Kashmir, 1995**, obtained from Parliamentary Library, New Delhi, pp.7-9.

- The Prime Minister pointed out that “both the Constitution of India and the State Constitution have a built-in-flexibility in respect of the autonomy of the State within the overall limits of the Constitution”.
- The Prime Minister also referred to suggestions for a financial package. “As it is, 70 per cent of the funding of the entire expenditure, both developmental and non developmental, of the State, comes from transfers and devolutions from the Centre. Mr Rao said, adding “the Government would formulate further financial and developmental benefits to the State in due course.
- He added that it was not his Government’s intention or desire to impose any person or part on the State.
- Much water and blood have flown in Jammu and Kashmir between 1974 and 1995 and smudged the pages of the historic Indira Gandhi-Sheikh Abdullah Accord of 1975, to which the Prime Minister, Mr P.V. Narasimha Rao, repeatedly referred in his broadcast.

Apparently in view of the present sensitive situation, the Prime Minister walked a tight rope while assuring the restoration of nomenclature of ‘Sardar-e-Riyasat’ and ‘Wazir-e-Azam’ in place of the Governor and the Chief Minister.

- Mr Rao has carefully worded his relevant statement. He said: “Regarding the desire for the change of the nomenclature of the Chief Minister during the Kashmir Accord discussions in 1975 it was agreed by the Government of India that if the State Legislature amends the State Constitution and provide for the title of “Wazir-e-Azam” it would have no objection.

Similarly, as regards the nomenclature of Sardar-e-Riyasat’, the State Legislature may initiate action for amending the State Constitution”, he said.

- The Prime Minister has left another area untouched, he has not said how “Sardar-e-Riyasat” will be appointed. Under the State Constitution, “Sardar-e-Riyasat” has to be elected by the State Legislature and he must be a permanent resident of Jammu and Kashmir. That means the present system of the President appointing Governors will have to be given a go-by.

The Prime Minister has just confined himself to the Government having no objection to the change of nomenclature.



## AMENDMENTS

The Jammu and Kashmir Representation of the People Act, 1957, has been further amended to facilitate holding of Assembly elections in the State.

The Act which will come into force immediately will be called the Jammu & Kashmir Representation of the People [Second Amendment] Act, 1995.

Some of the important amendments included in the Bill are —

- a) Empower the Election Commission to declare void or countermand an election in case of booth-capturing;
- b) Make booth-capturing a corrupt practice and an electoral offense;
- c) Make provision for non-inclusion of expenses incurred by a political party, in the expenditure of a candidate in connection with the election incurred or authorized by the candidate or his election agent;
- d) Provide that any arrangement made by any Government servants belonging to any one of the specified classes in discharge of his official duty shall not be deemed to be assistance in furtherance of the prospects of a candidate;
- e) Provide that certain categories of officers employed for election-related duties shall be deemed to be on deputation to Election Commission.

The release said “under the proviso to sub-Section [2] of Section 3 of the Jammu & Kashmir Legislature [delegation of powers] Act, 1992 the President shall, before enacting any President’s Act consult a committee constituted for the purpose, consisting of members of both Houses of Parliament.<sup>32</sup>

---

<sup>32</sup> UNI, *Background*, November 23, 1995, pp. 3-4.

## **RESPONSE OF VARIOUS POLITICAL PARTIES AND ELECTION COMMISSION'S VERDICT ON J&K ELECTION**

Soon after the declaration of 'Autonomy Package' by P.V. Narasimha Rao and Government's intention to hold elections in Jammu and Kashmir, a sharp reaction came from almost all the political parties, both national and local political parties of the State. Very soon it became clear that except Congress [I], none of the other national/local political parties were keen to participate in the election.

The most important reaction came from Farooq Abdullah's National Conference, which definitely is the key player in the political process of the State. In an interview, the National conference President said, "The only reason why we have backed out is that the package of autonomy that we had asked for has not come forth. And, second the conditions on the ground are not yet conducive for elections. The gun is still supreme, I am safe and protected but what about my workers who have to go back to their Mohallas [neighbourhoods]? There is no way but for the centre to redraw the package. He continued that the 1952 position "is the only way that the honour of the people can be restored".<sup>33</sup>

But this reaction of National Conference was not an instant one, Farooq Abdullah made his preferences clear much before the declaration of Rao's "Autonomy Package". In October itself, Abdullah and his party men Moinuddin Shah, Bashir Ahmed Kichloo, Mohammad Safi [Uri] and A.K. Rather, during a meeting with Prime Minister, asked for the pre-1953 dispensation in the State as a precondition for its participation in the election.

---

<sup>33</sup> **India Today**, November 1995, p. 54.

Yasin Mallick, the President of JKLF, the pro-Azadi outfit made it clear that “we will see that no Kashmiri goes to vote and we will go to any extent to see that this farcical election is rendered null and void. Fifty thousand Kashmiris have sacrificed their lives, honour and property not for an election under the Indian Union, but for self-determination”.<sup>34</sup> Syed Ali Shah Geelani, Chairman All Party Huriyat Conference declared that “nothing short of granting us the right of self-determination will solve the problem in Kashmir”.<sup>35</sup> The BJP which has emerged as a major key player in India’s national political scenario, had a different view. “India’s unity should not be bartered away by conceding to the demands of discredited individuals and party”.<sup>36</sup>

#### **ELECTION COMMISSION VERDICT**

In a subsequent development, the Election Commission rejected the Centre’s recommendation for election in Jammu and Kashmir as it felt the situation was not conducive for holding a free and fair poll. In a crowded press-conference on 10th November 1995, Mr T.N. Seshan, the then Chief Election Commissioner stated that “the Commission has come to the conclusion with absolute unanimity and with no reservation whatsoever that the sum total factors available at present in the state of J&K are not consistent of free and fair poll”.<sup>37</sup>

---

<sup>34</sup> **The Times of India**, 12th November 1995.

<sup>35</sup> *ibid.*

<sup>36</sup> **The Telegraph**, 12th November 1995.

<sup>37</sup> **The Times of India**, 11th November 1995.

The press-note added that the Commission took all the views conveyed to it by political parties, public figures representing Jammu and Kashmir and the media before taking the decision. Mr Seshan said the Commission also considered the latest and updated inputs given by the Government after its recommendations for polls, which included the reports of agencies like intelligence Bureau, Defence and other authorities who gave their assessment of the ground realities in the State. Regarding National Conference's decision to boycott polls, he said, "The Commission took into account all factors before, during and after the National Conference's decision. . . . we left out nothing of relevance".<sup>38</sup>

"Low Intensity Conflict" is three-dimensional: government, people and security forces; it should therefore be looked at through a wide-angled lens. Any attempt to compartmentalize militancy will be self-defeating".<sup>39</sup> No government can carry on with security operation for a time unlimited, a popular elected state government has to be restored sooner or later. There was nothing wrong with the declaration of elections but it could have been done by taking everyone concerned into confidence. Judging by the opposition to prime Minister's proposal from all the key players in any possible electoral exercise in Jammu and Kashmir — even before Election Commission pronounced its verdict — Mr Rao's move was less calculated than necessary.

---

<sup>38</sup> **UNI Backgrounder**, November 23, 1995, p. 4.

<sup>39</sup> Maj. Gen. Arjun Ray, **Kashmir Diary: Psychology of Militancy**, Manas Publications, New Delhi, 1997, preface p. xix.

The above discussions are only to prove a time proven fact that in all democracies dealing with terrorism pose a dilemma of how to balance between calculated force and achievement of consensus.

The swings of policy and policy range during the period 1989-1995 show a lot of changes in the whole situation that prevailed in Kashmir. This period has been *inter alia* a period of demand for National Security Council, different committees and councils to deal with the internal security situation, creation of several power structures, changes in the power structure which was more personality centred than institutionalized decisions and above all, deletion of political autonomy which was followed by manipulation of political and electoral process. The changes in the power structure both at the centre and the states, during this period, have always resulted in changes in the policy swing and policy ranges. In the power relation, this period has seen three new Prime Ministers at the Centre with different strategy to deal with the internal security matters and also three new governors at the state with different styles in working, belonging to different backgrounds. Despite, the fact remains that till the end of the year 1993, the situation in Jammu and Kashmir was more or less the same, i.e., high handed violence in the state and ineffective dealing of the subsequent governments with that. But since 1994, there has been an improvement in the situation, that has resulted in the restoration of electoral process in 1996 which is expected to bring back normal situation in the state. So, it can be deduced that the policy swing and range in this period have resulted in a metamorphic change from high handed violence to restoration of electoral process. Unfortunately, the restoration is threatened by current sporadic terrorist acts in the valley.

## CHAPTER IV

### COUNTER TERRORISM - II

#### UNCONVENTIONAL WAR & ROLE OF SECURITY FORCES

Since World War II, the global politico-security environment has undergone drastic changes. The cold war and a bipolar system of the family of nations, rise of the 'Third World Countries', proliferation of nuclear weapons, end of the cold war, growing consciousness among the nations regarding the impact of nuclear weapons upon the world community; all these are but a few events which have resulted in the changing pattern of use of force and the nature of war. Thus, the nations of today's world very often resort to an unconventional war strategy, which is known as low intensity conflict [LIC]. A low intensity conflict is comparatively a less expensive war, but equally effective and can be carried on for years. The aim of LIC, according to Rakesh Gupta, 'is to create conditions of political instability, violence and insecurity at the internal level so as to serve the strategic interests of the sponsoring nations'.<sup>1</sup>

Donald F. Hanle, in his book, **Terrorism The Newest Face of War**, speaks of three distinct characteristics of unconventional war that is state sponsored terrorism. These are—

- a) It involves lethal force by a political entity for a political end;

---

1 Rakesh Gupta, "Terrorism as a Warfare Metaphore", *Strategic Analysis*, December 1993, p. 1189. See also "National Security and Terrorism in Kashmir" in Chopra, V.D., *Genesis of Regional Conflict: Kashmir, Afghanistan, Cambodia, West Asia, Chechenya*, Gyan Publishing House, New Delhi, 1996.

- b) It involves the employment of lethal force against the cohesion of the targeted political entity;
- c) It involves the reciprocal use of lethal force by both sides employed in accordance with the principles of combat.<sup>2</sup>

Unlike other kinds of militancy, state-sponsored terrorism, blended with religious fanaticism, is a unique feature of the Indian experience of low intensity conflict. Kashmir, a Muslim dominated state as it is, according to Pakistan, should have been a part of Pakistan, in accordance to the two nations theory proposed by Jinnah. It has been unable to reconcile the accession of Jammu and Kashmir to India, making it an integral part of India. Regardless of the clear and legal status of Jammu and Kashmir, Pakistan has waged two unsuccessful wars against India in 1947-48 and in 1965 respectively. Taking into consideration India's military capabilities, Pakistan calculated that another confrontation on the battle field would be very expensive and risky. Therefore, sometime during 1984, it was decided in a meeting of the 'Defence Cabinet Committee' of Pakistan chaired by late President Zia-ul-Haq that a low intensity conflict over a prolonged period could be successful in Kashmir. The 'Operation Topac', a part of Pakistan's unconventional war strategy, was thus approved during a top level conference of Zia's corps commanders in April 1988.<sup>3</sup> The 'Operation Topac' was named after Topac Amaru, an Inca Prince who successfully fought against Spanish rule in 18th century Uruguay.

---

2 Donald F. Hanle, **Terrorism The Newest Face of War**, Pergamon-Brassey's, International Defence Publishers, USA, 1989, pp.

3 Maj. Gen. Arjun Ray, **Kashmir Diary: Psychology of Militancy**, Manas Publications, 1997, p. 47.

A definition of low intensity conflict, as defined by U.S. Army, seems to be appropriate to describe the case of Kashmir. It has been defined as “a limited politico-military struggle to achieve political, social economic and psychological objectives. It is often protracted and ranges from diplomatic, economic, psycho-social pressures through terrorism and insurgency. Low intensity conflict is generally confined to a geographical area and is often characterized by constraints on weaponry, tactics and the level of violence. Low intensity conflict involves the actual or contemplated use of military capabilities upto but not involving sustained combat between regular forces”.<sup>4</sup> Since 1987, Pakistan has been engaged in a multifarious strategy to carry on its undeclared war on Kashmir. These overlapping strategies include wiping out the nationalist elements, carrying on systematic propaganda to generate anti-India feeling among the people of the valley as well as international community, attacking the very centre of the Indian constitutional set up, resorting to the highest level of violence to create a sense of fear among the people, blending terrorism with religious Jihad and giving it an international colour, fighting the police and the para-military forces and even provoking the army but not taking them directly. Thus, K. Subrahmanyam comments rightly that “from all evidence available it would appear that Pakistan-generated terrorism is not necessarily a monolithically controlled activity but has its origin in several centres — the narcotic barons, the warlords in command of large stockpiles of weapons, smugglers and the Inter Service Intelligence which itself may be fragmented”.<sup>5</sup>

---

4 D. P. Kumar, *Kashmir: Pakistan's Proxy War*, Har Anand Publications, 1994, p. 145.

5 K. Subrahmanyam, “Pakistan As A Terrorist State”, *Economic Times*, 26th April 1993, p. 5.



India's mishandling of Kashmir, especially during the period of 1987-89, both politically and economically, resulted in creating a feeling of frustration if not alienation among the people of the valley. Taking advantage of this, the militants started consolidating their operations in the valley. Resorting to all the overlapping strategies, as mentioned above, Pakistan has engineered a highly explosive situation in the valley, which can be discussed as follows:

#### **BLENDING TERRORISM WITH RELIGIOUS JEHAD AND GIVING IT AN INTERNATIONAL COLOUR**

Pakistan's foremost objective in pursuing its Kashmir strategy was to arouse the revolutionary and religious consciousness of the people to overthrow the Indian establishment. Propounders of Islamic fundamentalism, all over the world feel that Islam is in danger in Kashmir and therefore, it is the duty of every true Muslim to join the jihad [holy war]. Pakistan, very cleverly, is spreading the message that Islamic militancy is actually a part of a greater 'Pan Islamic' movement sweeping the world over. Importantly, Pakistan inducted several Mujahideen groups from outside country, who describe themselves as the holy warriors for the cause of Islam. Members of these Mujahideen outfits are largely from Algeria, Sudan, Egypt, Lebanon, Middle East and Afghanistan, of them many have participated in the Afghan War and thus, having sufficient experience in guerrilla warfare. Some of the fundamentalist organizations which are very much active in spreading the cause of religious fanaticism in the valley are —

- i. Hizb-ul-Mujahideen,
- ii. Afghan Mujahideen
- iii. Al-Umar Mujahideen
- iv. Al-Jehad,

- v. Harkal-ul-Ansar
- vi. Dukhataran-e-Millat,
- vii. Jamet-ul-Mujahideen
- viii. Allah Tigers
- ix. Ikhwan Musalman
- x. Al-Mustafa-Liberation Tiger
- xi. Muslim Jan Baz Force
- xii. Hizbe-Islamia
- xiii. Jamel-ul-Mujahideen.

Apart from these groups, there are three major religious outfits, the Jamaat-e-Islami, the Jamaat-e-Ulema-e-Islam and the Jamat-e-Ahl-Hadees are entrusted with the task of accelerating terrorist activities in Jammu and Kashmir. All the above mentioned outfits are pro-Pak and their common aim is Islamization and merger of Kashmir with Pakistan. To obtain effective coordination among those groups, specially among Mujahideen outfits, one ‘United Jihad Council’ was established in 1993, which is being headed by a Serving Army Officer of Pakistan of the rank of Major General. The task before the Council is to coordinate between the Pakistan government and I.S.I. on one hand, and militants and intelligence [ISI], on the other.<sup>6</sup>

The extent to which Pakistan is successful in combining religious sentiment with the separatist elements; the following observation for Maj Gen. Arjun Ray<sup>7</sup> on the Prayer Meetings of Fridays at Srinagar Hazratbal and Jama Masjid reveals that —

“Average time allocation of speeches:

[a]	Anti-India propaganda	—	37 %
[b]	Preaching Islam	—	27 %
[c]	Prayer	—	36 %

6 B.P. Sinha, *Trans Border Terrorism: Internationalization of Kashmir Range*, Har Anand Publications, New Delhi 1996, p. 73.

7 Maj. Gen. Arjun Ray, *Kashmir Diary : Psychology of Militancy*, Manas Publications, 1997, p. 54.

Themes of Speeches:

[a]	Azadi	— 50 %
[b]	Custodial Killings and brutality by security forces	— 21 %
[c]	In praise of militants as holy warriors of Jihad	— 18 %
[d]	Desecration of Muslim Shrines	— 06 %
[e]	Excessive Militarization of the 'Border' [Not line of control]	— 05 %"

The above analysis reveals the fact that the religious fanatics have gained their foot-hold in the valley. One of the striking point of the above observation, which is worth maintaining here is that though the fanatics have succeeded in generating anti-Indian consciousness for the cause of Islam among the Muslims yet they have not succeeded to motivate them for the accession of Kashmir to Pakistan. Indeed, they are also working on another strategy of culturally alienating Kashmiri Muslims from India. For example, during 1992-93, militant outfit 'Allah Tigers' threatened to throw bombs at houses where women would refuse to wear 'burqas'. The People's League, on the other hand, instructed the Kashmiri girls not to take part in any cultural programmes outside the valley. According to Masoof Raza, the militants under instructions from their mentors in Pakistan, carried out a deliberate policy of ethnic clearing [of non-Muslims] in the valley to establish the fundamentalist overtones of the movement.<sup>8</sup>

---

8 Masoof Raza, **Wars and No Peace Over Kashmir**, Lancer Publishers, 1996, New Delhi, pp. 74-75.

The ethnic cleansing of more than 3,00,000 Kashmiri Pandits, is very much similar with an ethno-religious movement of erstwhile Yugoslavia and Rwanda. The systematic attacks on Kashmiri Pandits has an obvious objective to give the last push to the secular character of the valley. It took Pakistan trained militants little time to throw out the Pandits from the valley in order to achieve their aim of freeing the valley from Hindu elements and climaxing it all at the end of five years, to destroy the charar-e-sharif, the crowning symbol of Muslim-Hindu unity and secularism. "Never before in recent Indian history has almost a whole community fled without systematic persecution, organized massacres or large scale communal riots".<sup>9</sup>

In a bid to give an international character to its so-called jihad or holy war, Pakistani think tanks have been engaged since quite some time now in recruiting and sending foreign mercenaries [Afghan, Sudanese and from other Islamic countries] to Kashmir. Table-I provides detailed data about foreign mercenaries. The intentions of Pakistan on this move is very clear, to show how the international Islamic community is helping it to integrate Kashmir into its fold. In an attempt to provide it with almost a philosophical basis to this notion of subversive Pan-Islamism, Mustapha Kamal Pasha, an Assistant Professor of Political Science in Webster University, St. Louis, U.S.A. writes, "slowly

---

9 Dev. P. Kumar, **Kashmir Return to Democracy**, Cosmo Publications, New Delhi, 1996, p. 79.

Pakistan is pulling Kashmir into the larger context in which Islamic nationalism and fundamentalism is developing in the whole region”<sup>10</sup>

TABLE I

DETAILS OF FOREIGN MERCENARIES ARRESTED/ KILLED  
FROM JANUARY 1990 TO ENDING DECEMBER 1996

Name of the Country	Arrested								Killed							
	90	91	92	93	94	95	96	Total	90	91	92	93	94	95	96	Total
Pakistan/PoK	-	2	5	16	23	33	10	89	10	9	10	38	34	31	15	147
Afghanistan	-	-	1	1	9	-	1	12	4	2	4	50	49	14	13	136
Egypt	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Sudan	-	-	-	-	-	-	-	-	-	-	-	-	2	-	2	4
Yeman	-	-	-	-	-	-	-	-	-	-	-	-	1	-	2	3
Lebanon	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-
Bahrain	-	-	-	2	-	-	-	2	-	-	-	2	-	-	-	2
Chechian (Russia)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
Bosnia	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
Others	-	-	-	-	-	-	8	8	-	1	-	-	35	40	105	181
Total	-	2	6	20	32	33	19	112	14	12	14	90	122	85	139	476

Source: Annual Report, Ministry of Home Affairs, 1996-97

10 Mustapha Kamal Pasha, 'Beyond the Two-Nation Divide' in *Perspectives in Kashmir—The Roots of Conflict in South Asia*, edited by Raju G.C. Thomas, Westview Press, Boulder, Colorado, USA, p. 77.

Since quite sometime, through a systematic campaign Pakistan has intended to draw Kashmir into its concept of 'worldwide Islamic Revolution' on the basis that the majority of the people in Kashmir are Muslims. Consequently, as early as August 1990 onwards, a radio station calling itself "Voice of Islamic Republic of Kashmir" came on the air. It exhorted the people of the valley to overthrow the government and establish an Islamic order. In 1991, another radio station called 'Sada-i-Huriyat' was set up. Since then several clandestine radio stations have come up which are operating from the Indian soil. The following programmes which are aired by Pakistan radio are very much popular, i.e., Vasal [A Devout Muslim], Jal Raha Hai Kashmir [Kashmir is burning], Kashmir Banega Pakistan [Kashmir will become Pakistan]. Muqadama-e-Kashmir [The case of Kashmir]. Pakistan television devotes 15-20 per cent of its news for Kashmir coverage, whereas, Pakistani print media devotes, 8 to 10 per cent of published space to cover the 'holy war' in Kashmir.<sup>11</sup>

Enough evidences are there to suggest that, in persuasion with its proxy war strategy, Pakistan has been engaged in generating a feeling of 'Kashmiri Nationalism'. Fundamentalization of Kashmir issue and Islamization of Kashmiris by creating a band of 'holy warriors' are still the major cards of Pakistan, in continuance with its state sponsored terrorism against India in Kashmir. However, recent development in Kashmirs shows that inspite of their better fighting qualities and religious fanaticism, the foreign mercenaries have failed to arouse the revolutionary and religious consciousness of Kashmiri Indians.

---

11 Maj. Gen. Arjun Ray, **Kashmir Diary : Psychology of Militancy**, Manas Publications, New Delhi, 1987, p.71.

## **PURSUING HIGHEST LEVEL OF VIOLENCE AND ATTACKING THE VERY CENTRE OF INDIA'S CONSTITUTIONAL MACHINERY**

As a strategy of its unconventional war against India, Pakistan has been instructing the militant outfits to carry on depredation against people, particularly those in politics or those they suspect to be 'informers', the security personnel and against the administration, and destroying government buildings and projection. The state-sponsored terrorism in Kashmir is directed against human rights, civil liberties, universal adult franchise and legitimacy of government through elections. It is an attack on values, structures and processes of Indian Democracy, howsoever important it is. There has never been any drastic change in their violent and secessionist activities by the terrorists neither any change in the infiltration of trained mujahideens fully equipped with arms from Pakistan/PoK, or 'exfiltration' of misguided Kashmiri youth to go to Pakistan/PoK to receive the training [see tables].

Since late 1988, the terrorist outfits in the Kashmir valley had been able to develop a set pattern of activities. The period ranging from 1988 to 1991 could be described as the most turbulent phase in the history of terrorism of the valley. In this period bombing, killing, kidnapping and attacking on security personnel was a regular feature. The Pak-sponsored terrorists with their gruesome activities became successful in creating a sense of terror among the people of Kashmir. Following are but a few incidents, to point out the gravity of the situation.

## [i] KIDNAPPING OF RUBAIYA SAEED

8th December 1989 is a black spot in the history of terrorism in Kashmir. On this particular day, the terrorists struck the hardest as they kidnapped Dr Rubaiya Sayeed, daughter of Mufti Mohammad Sayeed, the then Union Home Minister of India, to show that they could defy the highest authority of the land. The JKLF took the responsibility of kidnapping and was demanding the release of five of its militants, that of Hamid Sheikh, Mohammed Altaf Butt, Sher Khan, Javed Ahmad Zargar and Mohammed Kalwal. The JKLF militants also blasted a powerful bomb in the compound of Mrs Aisha Amin, in response to her criticism about the incident. Finally, the government agreed to all the demands made by terrorists to secure the release of Dr Sayeed. As a fall out of this incident the JKLF militants sought to create an impression as if Pakistan had won the battle against India with the help of Kashmiris themselves or to put it in a clear statement, Kashmir was now not far from gaining its independence. The Chief conspirators of this episode were Yasin Malik, Ashfaq, Majid Wani, Gulam Hassan, Javed Ahmed Mir [Nalka], Shaukat Bakshi, Iqbal Gandroo, Salim Mir, Mustaq Ahmed Lone, and Ali Mohammed Mir, a Senior government official of the J&K government.

One can say, this was just the beginning and after this a wave of insurrection insurgency and terrorism broke out in Kashmir valley. To put it in Jagmohan's words, ". . . the eagle had attained yet another telling success. He became the master of all he surveyed. He hovered ominously over the valley of fear . . . ."<sup>12</sup>

---

12 Jagmohan, *My Frozen Turbulence in Kashmir*, Allied Publishers, New Delhi, 1993, pp. 333-34.



### **[ii] THE HAZRATBAL CRISIS**

Another notable event in Kashmir during these years was the siege of the Hazratbal shrine in Kashmir. It came into the notice of the Administration of Jammu and Kashmir on 15th October 1993 that armed militants had cut open two outside locks of the room of the holy relic. Immediately the government decided to put a cordon of BSF contingent around the shrine, who were again replaced by the Army on the very next day, that is, 16th October. It was not an incident in the first place, since quite a long time prominent militant organizations like the JKLF, the Hizbul Mujahideen and the Al Umar Mujahideen, were trying to get control of the shrine. Apparently, the militants of the valley have learnt a lesson from their counterparts of Punjab. However, the siege was lifted on 16th November 1993 and 27 militants including 2 Pakistanis surrendered to the security personnel.

Though the siege was lifted, and the militants surrendered, yet the militants, to some extent, succeeded with their plans. Their aim was to create a sense of confusion and insecurity among the Kashmiri Muslims and also to create a difficult situation for the Government. The siege continued for 32 long days from 15 October to 16th November 1993 during which period the entire valley's population went through many convulsions. Regarding the fall out of the incidence Ved Marwah writes that "as if curfew and crippling hartals and agitations were not enough, about 50 persons were [killed/injured] in a firing by the BSF at Bijbihara when a procession was taken

out in defiance of the prohibitory orders. . . . The militants were able to rally the people in the valley against the security forces".<sup>13</sup>

### [iii] THE CHARAR-E-SHARIF INCIDENT

The unfortunate incident of Charar-e-Sharif, perhaps is the greatest set back to the normalization process in the Kashmir valley. It was a major attack by terrorists led by the Harkat-ul-Ansar's leader Mastgul, who had established complete control over the township of Charar about 35 km from Srinagar during February 1995. Charar was a densely populated town, at the centre of which was located the shrine of the Sufi Saint Nooruddin Noorani known as Charar-e-Sharif. A survey led by the security agencies established the number of militants holding on inside the town as between 150 and 200. The militants were largely foreign mercenaries who belonged to three dominant pro-Pakistan outlawed groups, viz., Hizbul Mujahideen, Harkat-ul-Ansar and the recently surfaced mercenaries dominated group, Lashkar-e-Taba.<sup>14</sup>

Soon after the news of possession of the shrine came up, the government deployed a contingent of Indian Army at a distance about 3 km. from the shrine in order to keep a strict vigil over the situation. In spite of several provocations from the militants neither the army nor the BSF personnel retaliated until May 10-11, when the terrorists set fire to the shrine. The encounter resulted in the killing of more than 60 militants and two personnel of Indian Army and the militants burnt down the shrine for two days. Soon after, Maulana Mohammad Farooq, the leader of the Harkat-ul-

---

13 Ved Marwah, **Uncivil Wars: Pathology of Terrorism in India**, Harper Collins Publishers India, 1995, p. 139.

14 **Indian Express**, New Delhi, February 7, 1995.

Ansar outfit threatened to attack all major cities of India including Delhi and Bombay in their persuasion towards jihad.

The whole episode was cleverly designed by the Pakistani elements to create confusion among the masses and to destabilize the Indian government's strategy to restore electoral process in the valley. Both the incident of Hazratbal and Charar-e-Sharif were planned with the primary intention to destroy the Sufi feature of Kashmir which represents a fusion of Hindu-Muslim identity. The ultimate aim of the militants was to put the blame upon Indian establishment and to create a feeling of 'insecurity for Islam in India'.

#### **[iv] WESTERN HOSTAGE CRISIS OF JULY 1995**

A new militant outfit identifying itself as 'Al Faran' kidnapped five foreign tourists, named John Childs and Donald Fred from U.S.A., Paul Wells and Keith Monigane from U.K and Derek Hasert from Germany on 4 July 1995. Those tourists were camping at Ledervat, 28 kms from Pahalgam. The Kidnappers were demanding the release of 22 militants who were in the Indian jails. From all the available evidences it appeared that Al Faran was a front organization of Harkat-ul-Ansar based in Peshawar, Pakistan, though the Pakistan government has denied this.<sup>15</sup> One of the hostages, John Childs, somehow succeeded in escaping on 8th July retaliating to which the terrorists kidnapped and later killed a Norwegian tourist, Christian Ostro. The militants also circulated a

---

15 Ved Marwah, *Uncivil Wars: Pathology of Terrorism in India*, Harper Collins Publishers India, 1995, p. 144.

hand written note in Urdu to the local press in Srinagar which said that “all the western powers were anti-Islamic, rather enemies of Islam”.<sup>16</sup>

This gruesome incident was widely criticized by the common people and separatist groups in the valley and also by the international community. Though Pakistan officially denied its hand in the whole episode, yet it was confirmed after the statement of the escaped tourist, John Childs on October 13. However, the four remaining hostages were still under the captivity of Al Faran while the dissertation was being completed.

Following Tables [Tables 2 to 7] give a clear picture about the level of violence in the Valley in the last few years [1988-1996]:

**[v] A CHRONOLOGY OF EVENTS SINCE 1990 TO 1995**

TABLE 2

Sl. No.	Date/Place	Name and Details
1.	8-12-89	Dr Rubaiya Sayeed, D/O Mufti Mohammad Sayeed, the then Union Home Minister. She was kidnapped at gun point by JKLF militants while returning home in a matador from Lalded Hospital, Srinagar. She was released later on December 13, in exchange of 5 JKLF militants.
2.	3-3-90 Badgam	Mir Mustafa, Ex-MLA. Mir Mustafa, a popular political leader was kidnapped from Badgam at gun point when he was going in his car to his home. He was tortured for 2 days and subsequently hanged. His dead body was dumped in a drain at Batmaloo, Srinagar.

16 Dev. P. Kumar, **Kashmir Return to Democracy**, Cosmo Publications, New Delhi, 1996, p. 158.

3.	6-4-90 Srinagar	H.L. Khera, GM, HMT. H.L. Khera was kidnapped by armed JKSLF militants while he, along with his body-guard and driver were coming from Lal Chowk side in a car. He was killed on April 10, in Batmaloo area on the instruction of Hilal Beg.
4.	6-4-90 Srinagar	Mushir-ul-Haq, V.C., Kashmir University. Prof. Mushir-ul-Haq, a well- known scholar of Muslim theology and his P.A. were kidnapped from Kashmir University Campus. Later on April 10,1990, they were shot dead from behind and their dead bodies were thrown on the roadside.
5.	22-4-90 Srinagar	Sushma Pandit. She was picked up from the roadside by militants and later released next day with bullet injuries on legs.
6	1-5-90 Anantnag	Sarwanand Kaul alias 'Premi', 'Premi' and his son Virender were kidnapped by a group of armed militants from their house after dispossessing them of their valuables including gold jewelry and cash. Their dead bodies were found 20 km away from their residence with signs of brutal torture like broken fingers and eyes gouged out on May 3, 1990.
7.	2-5-90 Baramulla	Padmashri Mohammed Dar Gujjar. Mohd Dar Gujjar, who had helped Indian Security Forces in their drive against Pakistani infiltrators in 1965 was abducted by militants on May 2 from his house. He was tortured and later shot dead on May 3. His dead body was recovered from the roadside.
8.	4-5-90 Anantnag	Prem Nath, ASI, JKP. He was kidnapped from PS Dura by JKLF militants. His bullet riddled body was recovered at Achabal on May 6.
9.	4-5-90	Prof K.L. Ganjoo, Mrs Prana and Chata Ganjoo. A group of 5 armed militants at gunpoint accosted Prof. KL Ganjoo, a Lecturer in Wadoora Agriculture College, his wife Prana and his cousin Pista. While Ganjoo and his cousin were led to the river bank, Prana was whisked away. On the river bank, the militants opened fire killing Ganjoo on the spot, while Pista escaped with injuries. Ganjoo's wife was gang raped and later strangled to death. The dead bodies of Ganjoo and his wife were thrown in the river.
10.	7-5-90	Chaman Lal Raina. He was kidnapped from his house. His dead body was recovered at Badgam on May 8, 1990. The body bore the marks of torture including burn injuries.

11.	6-7-90	Farooq Ahmed s/o DC, Srinagar. Farooq Ahmed alias Taya, was abducted from a local park. After the kidnapping, JKSLF claimed responsibility and demanded the release of some militants. However, JKSLF released Taya on July 9.
12.	26-7-90 Srinagar	Tahseen Bilal. Tahseem Bilal was abducted and later Mushtaq Latrum, Chief, Al Umar Mujahideen, fixed explosives on his body and detonated it. Only a portion of his torso was left behind in the explosion.
13.	3-9-90 Srinagar	Bashir Ahmed Sheikh. Bashir Ahmed Sheikh was abducted from his residence. Explosives were tied to his body and thrown out of a running matador van at Natipora on Sept 3, 1990. He was blown to bits.
14.	27-9-90 Srinagar	Ramesh Mohatta, AIR Employee. He was abducted from Radio Colony, Srinagar on Sept. 27. He was questioned/tortured before being released next day in injured condition.
15.	23-10-90 Naidkadal, Srinagar	Mohammad Syed Kawoosa, Businessman. He was kidnapped from his house at Pandan, Srinagar. AUM demanded Rs.10 lakhs as ransom from him. On refusal, he was killed.
16.	25-2-91 Srinagar	Mohammad Yusuf, Head Cashier, SKIMS, Soura, Srinagar. He was kidnapped from Sher-e-Kashmir Medical Institute on February 25. He was later rescued by police from a house in Bana Mohalla, Srinagar. The militants had snatched keys of the cash chest of the SKIMS from him. He later died due to injuries caused to him by the militants' torture.
17.	27-2-91 Chanpora, Srinagar	Nahida Fida nee Soz., d/o Saifuddin Soz [MP/NC F]. She was kidnapped outside her residence at Chanpora. At the time of kidnapping she was in the family way. Following prolonged negotiation she was released on March 8.
18.	27-4-91 Nishant, Srinagar	Prem Nath Braroo, SI, BSF. He was kidnapped while he was going to Nishat on his scooter. He remained untraced.
19.	17-5-91 Uri, Baramulla	Mehar Singh, SHO, Uri. He was kidnapped from a bus. Later he was killed and his dead body was thrown in the river.

20.	26-6-91 Baramulla	Manager and Cashier, J & K Bank, Pampore. They were kidnapped at Pampore and were later rescued by S.F.
21.	6/7-6-91 Baramulla	Saif-ud-Din Mir [AC/BSF], Mohammad Akbar [Const/BSF]. They were kidnapped from Bandipur on the night of June 6/7. On June 20, militants tied explosives to their bodies and blew them up separately at Sampura, PS Nowhata and Nai Sarak, PS Kral Khud, Srinagar. Al Umar Mujahideen claimed responsibility.
22.	23-6-91 Nishat, Srinagar	P.S. Shekhar, V.S. Tiwari, A. Tappoo [LIC probationers]. They were kidnapped from Nishat Garden on June 23. All three were tortured in a nearby vacant house of a Hindu, which later set ablaze. While V.S. Tiwari and A. Tappoo were charred to death, P.S. Shekhar was rescued with serious burn injuries.
23.	28-6-91 Zewan, Srinagar	K. Doraiswamy, Executive Director, IOC. K. Doraiswamy was kidnapped by a group of armed militants from Zewan. Later, he was released in exchange of 12 militants.
24.	1-7-91 Hariwadoo, Tangmarg, Baramulla	Ghulam Hassan Mir, ex-Minister, J&K. A group of militants raided the residence of Ghulam Hassan Mir. He was later released when some local influential people intervened.
25.	13-8-91 Srinagar	Dr S.L. Khosa, Branch Manager, New India Insurance Company. He was abducted by a group of armed militants from his office. He was released on November 15 in exchange for detained hard-core terrorist, Nissar Ahmed Jogi.
26.	4-9-91 Srinagar	Mrs Khemlata Wakhloo, ex-Minister, and her husband Dr O.N. Wakhloo, ex-Principal, REC, Srinagar. Mrs Khemlata Wakhloo and her husband were abducted from their residence by a group of 8 armed militants. While kidnapping, the militants had almost stripped Mrs Wakhloo of her clothes. The couple was ultimately rescued by the Army on October 17/18 from a militant hideout.
27.	4-9-9-1 Srinagar	Vijay Kumar Kaul, Director, Regional Institute of Science & Technology, Srinagar. Vijay Kumar Kaul was kidnapped from his residence at Srinagar. He was released on September 15 following payment of ransom.
28.	9-9-91 Srinagar	K.C. Gupta, Senior Manager, PNB, Srinagar. K.C. Gupta was kidnapped from his office. He was released on December 19, in exchange of detained District Chief of Hizballah.

29.	22-9-91 Srinagar	Tassaduq Dev, brother-in-law of Union Minister. Tassaduq Dev was kidnapped by a group of militants near his residence. He was released on January 17, 1992 in exchange for some militants.
30.	24/25-9-91 Srinagar	Puran Anand, DSP, J&K Police. Puran Anand was kidnapped by a group of militants from REC Campus. He was later rescued by Army on December 8.
31.	6-10-91 Srinagar	Bashir Ahmed Rather, brother of Union Minister. Bashir Ahmed Rather was kidnapped by a group of militants from Hazratbal, Srinagar. He was, however, released following private negotiations.
32.	7-10-91 Srinagar	Mir Nassarullah, s/o G.M. Mir Lasjan, ex-Minister, J&K. Mir Nassarullah was abducted by a group of militants while he was travelling by his car. He was released on March 14, 1992 following negotiations.
33.	26-10-91	Abdul Qayum, B/o Mohammad Shafi Uri, ex-Minister J&K. Abdul Qayum was kidnapped at Gingalin Uri. He was, however, released the same day.
34.	23-10-91 Srinagar	Sajjad Shafi, s/o Mohd Shafi-Un, ex-Minister. Sajjad Shafi, an MBBS student was abducted from Jhelum Valley Medical College. He was released by his captors on December 11.
35.	4-11-91 Srinagar	Zaki Ahmed Khan, Principal, Sainik School. Zaki Ahmed Khan was abducted from a private bus. He was later released on November 8
36.	7-11-91	Mohammad Shafi Khan, b/o Hamidullah Khan, Adviser, J&K Governor. Mohammad Shafi Khan was picked up by a group of armed militants from his residence. He was later released on January
37.	16-1-92 Srinagar	Dr. A.K. Dhar, Director, Regional Research Laboratory, Srinagar. Dr A.K. Dar was abducted by a group of militants, while he was waiting for a bus. He was subsequently released in exchange of 3 hard-core militants.
38.	24-1-92 Srinagar	Hafizullah Dar, Addl. DIGP. Hafizullah Dar had gone to see one of his ailing relations in Sher-e-Kashmir Institute of Medical Sciences at Soura. He was abducted from the hospital premises. He was released after 132 days in captivity in exchange for some detained militants.



39.	18-2-92 Srinagar	Bashir Ahmed Shah, Director, Labour Procurement. Bashir Ahmed Shah was abducted from his office. He was released on 18-2-92.
40.	20-2-92 Srinagar	Ghulam Nabi Butt, Director, Forensic Laboratory, Srinagar. Ghulam Nabi Bhutt was abducted from his office. He, however, escaped on March 15.
41.	20-2-92 Srinagar	Dr Mohammad Aslam, son-in-law of Ghulam Rasool Kar, President J&K PCC-I. Dr Mohammad Aslam was kidnapped from his clinic at Batmaloo. He was, however, released on April 18.
42.	1-3-92 Baramulla	Habibullah Bhat, ex-MLA. Habibullah Bhat was abducted from his residence by a group of armed militants after roughing up his family members. He was later released on April 5, following negotiations.
43.	9-3-92 Srinagar	Dr S.K. Sharma, Head of Physics Deptt. and Dr R.S. Sharma, Head of Chemistry Department, Kashmir University. The two prominent academicians were abducted by armed militants from the University campus. The Al Umar Mujahideen owned the responsibility for the incident and demanded release of 30 detinue militants in exchange. They were, however, released on June 22.
44.	31-3-92	Dr S.N. Dhar, Superintendent, Chest Disease Hospital, Srinagar. A group of armed militants abducted Dr S.N.Dhar from the hospital premises. He was released on June 22, 1992.
45.	14-4-92 Baramulla	Mohammad Latif Qureshi, b/o Mohammad Shari Qureshi, Governor, Bihar. Mohammad Latif Qureshi was abducted from Baramulla by a group of armed militants. He was, however, released on April 17 following private negotiations.
46.	18/19-5-92 Srinagar	Habla Begum and her minor daughter, r/o Sarafkadal, Srinagar. A group of armed militants raided the house of Habla Begum. After looting her valuable and cash, they set ablaze her house. Habla Begum and her daughter were abducted. They still remain untraced.
47.	4-8-92	Hans Raj [Manager, Allahabad Bank], B.K. Ghai [A.E.], Mohan Lal Sharma [Surveyor], Prem Nath Gupta [Contractor] and K.R. Kannan [A service personnel]. A group of militants abducted these persons while they were travelling in a taxi. While Mr Sharma, P.N. Gupta and Hans Raj were released, B.K. Ghai and K.R. Kannan were shot dead on September 9.

48.	16-10-92 Srinagar	Syed Ghulam Nabi, Joint Director, Information, J&K Government. Syed Ghulam Nabi was kidnapped by a group of militants near Jhelum Valley Medical College, Srinagar, on October 16. He was tortured to death and his dead body was thrown in Neelam Chowk, Srinagar, on October 20.
49.	22-10-92 HMT Srinagar	A Hindu, Vajam Singh and his 12 year old daughter Shaloo Basanti were abducted from near HMT Colony. Nothing has been heard about them.
50.	4-11-92 Newa, Pulwama	A prominent villager, Mushtaq Ahmed Butt was abducted. He was killed after torturing for two days.
51.	2-12-92 Khanwari, Srinagar	A Muslim woman Mst. Fazi and her young son were abducted by militants from their house.
52.	6-12-92 Ratnipora, Pulwama	A prominent local Muslim Shabir Ahmed was abducted and tortured to death.
53.	11-1-93 Safapora, Baramulla	Ghulam Mohammad Tehsildar, Sumbal Tehsil, was abducted and released after torture.
54.	1-2-93 Habak, Srinagar	Three relations of Farooq Nazki, Director, Doordarshan, Srinagar, were abducted and later released after a week in captivity
55.	10-2-93 Lalpora, Kupwara	Ghulam Hassan Lone, a 70-year Muslim was abducted and subsequently killed.
56.	15-2-93 Sopore, Baramulla	Ghulam Nabi Baba, a retd. Assistant Commissioner and a relative of G.R. Kar, J&K PCC-I President, was abducted and subsequently killed after 15 days in captivity.
57.	18-2-93 Haftchinar, Srinagar	Adresh Sharma, Assistant Manager [Production], Indian Telephone Industry, was abducted from his residence and later released on February 24.

58.	24-2-93 Handwara, Kupwara	Habibullah Mircha, A Naib Tehsildar and brother-in-law of G.R. Kar [J&K PCC-I President] was abducted and later killed.
59.	31-3-93 Srinagar	Dr Abdul Ahad Guru, Head of Department, Cardiology, SKIMS was abducted and later killed after torture.
60.	23-7-93 Srinagar	A prominent local doctor, Ghulam Nabi Ahangar was abducted and killed.
61.	19-6-94	Qazi Nissar, one of the five secessionist leaders released in 1993, was kidnapped and later on killed.
62.	20-3-95	A Brigadier Commander of the Army was killed when a directional explosive device was exploded by a remote control device.
63.	3-7-95	Sixteen Officer of Forest Department, including the Ranger, were kidnapped from Kot Dessa Area in the Doda District on 3 July 1995.

Source: Ved Marwah, *Uncivil Wars: Pathology of Terrorism in India*, Harper Collins India, New Delhi, 1995

TABLE 3

## TERRORIST VIOLENCE IN J &amp; K

	Total Incidents	Attacks on Security Forces	Attacks on Others	Explosion and Arson	Other Incidents
1988	390	6	1	142	241
1989	2154	49	73	840	1192
1990	3905	1098	485	1810	512
1991	3122	1999	321	611	191
1992	4971	3413	507	744	307
1993	4457	2573	539	900	445
1994	6895	2675	1594	1774	852
1995	6819	2570	1836	1633	780
1996	5442	1473	2133	1260	657
Total	38155	15856	7489	9714	5177

Source: Annual Report, Ministry of Home Affairs, 1996.

TABLE 4  
KILLINGS IN TERRORIST VIOLENCE

	1988	1989	1990	1991	1992	1993	1994	1995	1996	Total
Total killed	31	92	1177	1393	1909	2567	2863	2768	2858	15661
SF Personnel	1	13	132	185	177	216	199	234	185	1342
Govt. Officials	1	3	62	57	36	34	26	46	67	332
Top Political Leaders	-	-	1	-	-	2	6	1	5	15
Politicians	-	3	24	10	4	8	6	12	29	96
Judiciary	-	3	1	1	-	1	-	2	2	10
Pressmen	-	-	2	1	1	1	2	2	1	10
Hindus	-	6	177	45	67	87	95	99	110	686
Muslims	28	64	573	456	706	841	858	983	1217	5726
Sikhs	-	-	6	12	10	7	5	2	3	45
Others	-	-	16	12	35	40	73	55	30	261
Militants	1	-	183	614	873	1330	1596	1332	1209	7138

Source: Annual Report, Ministry of Home Affairs, 1996.

TABLE 5

## KIDNAPPED BY MILITANTS

	1989	1990	1991	1992	1993	1994	1995	1996	Total
Incidents	2	57	100	124	181	332	395	473	1664
Persons Abducted	2	70	159	183	269	368	548	666	2265
Foreigners	-	-	12	-	-	2	6	-	20
Women	-	8	8	13	26	20	31	20	126
Politicians	-	33	53	26	4	3	3	4	126
Govt. Officers	-	21	27	43	37	36	55	48	267
SF Personnel	-	12	29	38	92	25	14	21	231
Killed	1	29	29	38	92	157	207	345	925
Released	1	32	73	112	128	164	163	104	777

Source: Annual Report, Ministry of Home Affairs, 1996.

TABLE 6

## CRIMINAL ACTS EXTORTION &amp; LOOTINGS BY MILITANTS

Year	Incidents	Amounts Robbed [in Rupees]
1990	23	2,26,91,200
1991	31	62,30,768
1992	39	64,86,563
1993	50	83,57,626
1994	149	5,48,46,532
1995	130	31,37,826
1996	139	25,20,205
<b>Total</b>	<b>561</b>	<b>10,42,70,720</b>

Source: Annual Report, Ministry of Home Affairs, 1996.

TABLE 7

## DESTRUCTION OF PROPERTY BY MILITANTS

Year	Total Incidents	Government Buildings	Educational Institutions	Private Houses	Bridges	Shops	Hospitals
1988	128	4	4	19	1	-	-
1989	294	191	172	427	16	-	-
1990	646	501	129	1242	172	202	-
1991	391	45	24	819	24	83	-
1992	564	65	57	2312	28	200	-
1993	662	98	46	1110	34	400	-
1994	606	172	119	666	46	162	4
1995	688	127	133	1814	16	402	2
1996	482	52	68	602	2	161	3
Total	4461	1255	752	9011	339	1610	9

Source: Annual Report, Ministry of Home Affairs, 1996.



## OPEN POLITICAL SUPPORT

Pakistani political leadership, whether elected or military, have always tried to raise the Kashmir issue frequently and openly. There have been numerous occasions since the days of independence and more recently after the execution of 'operation Topac', Pakistan has never missed any opportunity to raise the Kashmir issue. It is a known fact that even elections are fought in Pakistan on the basis of Kashmir slogan. All the legal documents regarding the accession of Kashmir to India and also the Shimla Agreement, are nothing but non-existent entities for the Pakistani establishment. Zia-ul-Haq, Benazir Bhutto, Farooq Leghari, Nawaz Sharif and also a number of army personnel have openly raised Kashmir issue at various international forums, in Pak Parliament, local media and have openly reiterated their support for Kashmir. Indian political leadership have very often resented this type of attitude of Pakistan in every possible way. The then Minister of External Affairs of India, Pranab Mukherjee, in a statement in Parliament said that "Government is aware of Pakistan's active support, abatement and encouragement to subversive and terrorist activities directed against India. This support to cross-border terrorism is a matter of deep concern. Pakistan's conduct in this regard is totally unacceptable, being violative of the Shimla Agreement and the universally accepted norms of the inter-state conduct".<sup>17</sup>

Since 1990 onwards, Pakistan is trying viciously to raise the Kashmir issue in its political agenda to divert the attention from its own failures. Following statements

---

17 In response to Starred Question No. 5, Answered in Lok Sabha on 31 July 1995.

given by two of its Prime Ministers is enough to indicate the intention of Pakistan's political think tank and are discussed below.

On February 10th, 1991, then Prime Minister of Pakistan, Benazir Bhutto initiated a debate on Kashmir in the joint session of Pakistan Parliament, where she went to the extent of comparing the issue of Kashmir with the freedom movement in West Europe. She said, "when the entire world is in the step of a wave of freedom and the Berlin Wall is breaking, the Kashmiris have also risen against their illegal occupation by India . . . . Pakistan will never compromise on the Kashmir's right of self-determination".<sup>18</sup> Nothing has changed Benazir Bhutto's line of thinking on Kashmir; neither the death of civilian nor the repeated protests from India. In an interview with New York Times in May 1994, she reiterated that Kashmir was not a part of India. Also, if the option of independence was given to the people of Kashmir, Pakistan would not agree to an independent Kashmir. In addition, she said categorically, that the question of an independent Kashmir was a ploy to divide the Kashmir vote.<sup>19</sup>

Similarly, the present Prime Minister of Pakistan, Nawaz Sharif in 1992 stated that "Pakistan legally and morally is obliged to support the liberation movement and announced the extension of Pakistan's full moral, diplomatic, and

---

18 Jagmohan, *My Frozen Turbulence in Kashmir*, Allied Publishers, New Delhi, 1991, pp. 402-403.

19 Dev P. Kumar, *Kashmir Return to Democracy*, Cosmo Publications, New Delhi, 1996, p. 109.

political support to the liberation movement and freedom fighters in the India held Kashmir till the realization of their noble objective".<sup>20</sup>

In the last one decade, there has not been any single international organization where Pakistan has not raised the Kashmir issue. But specifically in 1994, this issue was more debated upon and given prime importance internationally by Pakistan. Moreover in 1994, a number of international conferences were held and all these gave Pakistan a platform to raise the Kashmir issue in international political forums.

Following are the details of various conventions and conferences which took place in 1994 :

1. 50TH SESSION OF COMMISSION ON HUMAN RIGHTS, GENEVA — 31.1.94 TO 11.3.94

The Pakistani Prime Minister raised the Kashmir issue in her Plenary address. Kashmir was also raised by the Pakistani delegation, Pakistan NGOs and Pakistan backed NGOs, under several agenda items. The Indian delegation blocked Pakistan efforts to orchestrate a sustained focus on Kashmir by exercising our rights of reply and refuting allegations appropriately, as well as getting them ruled out on points of order.

Pakistan tabled a resolution on Kashmir issue against India in 50th Session of the UN Commission on Human Rights. The Resolution expressed grave concern about alleged human rights violations in J&K and requested the UN Commission on Human Rights to send a fact-finding mission to J&K to investigate and report on the human rights situation there. India took effective steps to counter Pakistani

---

20 *The Nation, Lahore [Pakistan], July 19, 1992, p. 2.*

move. Failing to muster enough support for her move, Pakistan voluntarily and unconditionally withdrew the resolution.

2. CONSULTATIVE MEETING OF NAM FOREIGN MINISTERS, JAKARTA — 10.2.94

The Pakistani Foreign Minister tried to raise the Kashmir issue. However, the Chairman had categorically ruled on a point of order raised by India, that the Pakistani Minister should not raise its bilateral problems with India in the NAM forum.

3. 38TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN — 8.3.94

In a statement by Mrs Nusrat Bhutto, Pakistan alleged widespread incidents of rape and violence against women in Kashmir. India rebutted the allegations.

4. 38TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN — 15.3.94

The question of Kashmir was raised a second time in the Commission under the item: Priority Themes. A parallel was drawn between the human rights in Bosnia and Herzegovina and “India occupied Kashmir”. India rebutted the allegations.

5. SPECIAL COMMITTEE ON PEACE-KEEPING OPERATIONS — 5.4.94

Pakistan referred to UNMOGIP in its statement on peace-keeping operations.

6. NAM MINISTERIAL MEETING IN CAIRO — 3.6.94

Pakistani Foreign Minister raised the question of Jammu and Kashmir in the Plenary Meeting and Indian Minister of State, External Affairs, R.L. Bhatia replied.

7. INTERNATIONAL LABOUR CONFERENCE, GENEVA — 7-24 June 1994

The Labour Secretary of Pakistan raised the Kashmir issue in the Plenary. He referred to the economic conditions of the workers in Kashmir that were hampered by forced displacement of labour, and arbitrary arrests and torture. Indian delegation exercised the right of reply and refuted the allegations appropriately. The Indian delegation refuted any call for a fact finding mission or inclusion of this subject in any future agenda of the Conference.

8. ASIAN GROUP MEETING — 14.7.94

Pakistan raised the question of Jammu and Kashmir in the form of a question to the UN High Commissioner for Human Rights. India raised a point of order. The Chairman ruled that substantive issues like Kashmir should not be discussed in the Asian Group.

9. ECOSOC — 15.7.94

Pakistan asked the UN High Commissioner for Human Rights a question on Jammu and Kashmir and India raised a counter question in reply.

10. THIRD ASIA-PACIFIC WORKSHOP ON HUMAN RIGHTS ISSUES, SEOUL  
18 - 20 July 1994

The Pakistani delegate tried to raise the Kashmir issue. Immediately the Indian delegation raised a point of order and questioned the relevance of the Pakistani delegation's remarks in the context of the workshop and requested the Chairman to advise the Pakistani delegate not to make contentious and politically motivated statements. The Chairman advised the Pakistani delegate accordingly, thus the Pakistani delegate could not refer to Kashmir in his statement.

11. ECOSOC — 22.7.94

Pakistan referred to Jammu and Kashmir under the Agenda item: Human Rights Questions and India exercised her right of reply.

12. SUB-COMMISSION WORKING GROUP ON INDIGENOUS POPULATIONS, 25-29 July 94

The Pakistani delegate made a reference to J&K alleging denial of the right of self-determination to the majority community in Kashmir and human rights violations in J&K. Indian delegation raised a point of order and the Pakistani delegation was not allowed by the Chairman to raise the matter.

13. SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES — 1 - 26 August 1994

Kashmir featured in the Sub-Commission's debates under a number of Agenda items. The strategy of Pakistan was to describe J&K as a disputed territory and to raise the question of self-determination in their formal statements.

Sharp rights of reply were engaged and our delegation rebutted all the Pakistani arguments and exposed Pakistan's political and territorial ambitions.

#### 14.UN SECURITY COUNCIL — 11.8.94

The Foreign Minister of Pakistan wrote a letter to the President of the Security Council expressing concern over the human rights violations and increased military activity in Jammu and Kashmir. A similar letter was addressed to the Secretary General of the U.N. also on the same day. No action has been taken on the letters.<sup>21</sup>

However, for the first time in 1995, Pakistan decided not to move any resolution on Kashmir in the U.N. General Assembly or its Committees. It was due to the hard hitting response from India's Deputy permanent representative to U.N., Nalin Surie to Pakistani Foreign Minister Assef Ahmed Ali's speech in U.N. General Assembly in 1994.

All the above discussed facts reveal that Pakistan is not ready for a bilateral set up with India on Kashmir imbroglio, at the same time, in order to create an anti-India feeling, it would not resent approaching any international forum irrespective of its nature of function.

#### **INVOLVEMENT OF INTER STATE INTELLIGENCE [ISI]: TRAINING AND WEAPONS**

The Field Intelligence Units [FIUs] and Geographical Section [GS] of the Pakistan army had always maintained its link with the Kashmir militants but it is the

---

21 Statement referred to in answer to Lok Sabha Starred Question No. 63 for 12.12.1994 regarding Kashmir issue.

ISI who has been entrusted with the task to monitor the terrorist activities in Jammu and Kashmir. Until now the ISI has been the principal vehicle for the supply of weapons, cash and guidance to various militant outfits in Kashmir. Since 1994 onwards, the ISI has become successful in motivating several Islamic groups active in India to unite and respond to Pakistan's anti-India policy. These organizations with mediation of ISI have been keeping contact with Islamabad and Afghan Mujahideens for stepping up their so-called armed struggle. Pakistan has been callously utilizing the ISI to gear up trans-border terrorism and various Islamic movements in Kashmir. Of late, ISI had extended its network in several places other than Kashmir organizing bomb blasts, communal violence and riots. For example, ISI's hand was evident in gruesome bomb blasts in stock exchange and other places in Bombay in March 1993 and bomb blasts of six important trains in December 6, 1993.

Regarding the nature of function of ISI it has been found that it does not work on the basis of any strict guidelines. Rather it has been modifying and readjusting its mode of operation from time to time. Due to their experience in Afghanistan, the rank and file of the units of ISI have become expert in various terrorist tactics, like hijacking aircrafts, guerrilla warfare, use of high grade explosives, hitting targets with the help of remote control devices, training to the recruit etc.



D.P. Kumar, a leading journaist of India, has listed the names of many serving and retired ISI officials who are entrusted to monitor the militancy in the Kashmir valley. The following Tables consist the list of identified ISI officials.

TABLE 8

LIST OF IDENTIFIED ISI PERSONNEL ENGAGED IN FOMENTING TERRORISM IN J&K

Lt. Gen. Javed Nazir	ISI Chief
Maj. Gen. Asad Durani	ISI ex-Chief
Brig. Farooq Ahmed @ Numan	Incharge Kashmir Operations
Brig. Mohd. Salim Khan	II I/C Kashmir Operations
Lt. Gen. Umranullah Khan	Addressed Kashmiri militants in training centre
Brig. Gulzar	
Maj. Gen. Asadullah Khan [Retd]	Used to address Kashmiri militants at training centres
Maj. Gen. [Retd] Abdul Wahid also known as Professor	Used to address Kashmiri militants at training centres.

Source: D.P. Kumar, Kashmir: Pakistan's Proxy War, Har Anand Publishers, New Delhi, 1993, pp. 261-263

TABLE 9

Rawalpindi	Trg. Centres in Pak/POK	Muzaffarabad POK	Instructors
Col. Mehrajuddin @ Col. Asad, I/C political affairs	Col. Murtaza, I/C Training in POK	Col. Riaz, I/C Launching militants	Maj. Akhtar [for specialized training in anti-aircraft gun]
Col. Shoukat, I/C Training etc	Col. Malal, I/C general affairs of training camps	Col. Shumail, I/C political affairs	Maj. Imtiaz [for specialized training in anti-aircraft gun]
Col. Iman, Sr. ISI Officials	Maj. Abid assisting Col. Mala at Muzaffarabad	Col. Zubair [transferred]	Maj. Gulbuddin Balauch
— Javed Aslam	Col. Malik, I/C training camp	Maj. Rafiq Khan@	Maj. Akbar Maj. Haider Maj. Usman
— Yasar	Lt. Col. Ashraf Mir	Maj. Tariq, I/C arms supply [removed on charges of corruption]	Maj. Zahid Cap. Zahoore Cap. Zamaluddin Shah
— Manzoor		Maj. Shahryar, launching/infiltration of Kashmiri militants	Capt. Qasim Capt. Yaqoob Capt. Ali Mohammad Capt. Rashid Dilawar Khan
		Maj. Hassan, launching/infiltration of Kashmiri militants	Abdul Aziz Maj. Abbasi [WT and Computer based data mode system of wireless communication]
		Capt. Kamal, launching / store	Maj. Raja Sarvarkhan (WT and Computer based data mode system of wireless communication) besides JCOs and NCOs.

Source: D.P. Kumar, Kashmir: Pakistan's Proxy War, Har Anand Publishers, New Delhi, 1993, pp. 261-263

## WEAPONS AND TRAINING

The ISI has paid greater attention to provide extensive training and supplying latest weapons to support the operation and escalate militancy. In fact, the sophisticated weapons entering into Kashmir from Pakistan have had a major impact on the 'sale and severity' of the conflict. The connection between the narcotics traders and drug dealers; the vital connection between the underworlds of Karachi and Bombay, has remained a main channel for weapons and explosives reaching the militants of the Kashmir valley. It was found that during 1990-91, the militants were using AK-47 assault rifles and automatics of various brands, rockets, explosives and

different types of anti-tank weapons. Subsequent allegations have been made by the Indian and international media that these weapons are readily available from the open arms markets of Peshwar and its suburbs, North West Frontier Punjab in general and in same locations inside Baluchistan.

However, Maj. Gen. [Retd] Asfir Karim observes that “all the above mentioned weapons are easy to carry and conceal, being light in weight, but ammunition for automatic weapons has posed problems for the terrorists”.<sup>22</sup> Taking account of these difficulties, ISI supplied new weapons like 70 mm rockets, 80 mm mortars, 40 mm automatic grenade launchers, 87 mm helicopter rocket pads with solar powered timing devices etc. in 1992-93. During 1994, ISI supplied powerful long range missiles, called ‘chemical missiles’ to the militants active in the valley. In addition, latest communication systems like digital burst communications, collapsible solar panels for reload systems, frequency scanning devices for detecting and hoeing in on coded or military broadcasts. Apart from these, small arms like AK47 and AK56 assault rifles, machine guns, long range sniper rifles, pistols etc. of Soviet and Chinese origin.<sup>23</sup>

Table 10 gives a clear picture regarding the weapons used by militants in Kashmir.

---

22 Maj. Gen. Asfir Karim, AVSM [Retd], **Counter Terrorism: The Pakistan Factor**, Lancer International, 1991, p. 108.

23 D.P. Kumar, **Kashmir: Pakistan's Proxy War**, Har Anand Publications, New Delhi, 1993.

TABLE 10

## RECOVERY OF WEAPONS FROM MILITANTS

Weapons / Explosives	1988-1991	1991	1992	1993	1994	1995	1996	Total
Rocket Launchers	141	140	174	95	31	36	43	660
Machine Guns	124	176	174	166	141	81	96	958
AK Series Rifles	1474	2602	3775	2424	2196	2055	2266	16772
Sniper Rifles	1	3	13	60	41	38	49	205
Pistols/Revolvers	858	946	808	801	940	965	1052	6370
Ammunition [Assorted in lacs]	2.42	3.9	3.44	4.85	4.46	3.42	3.43	25.21
Grenades	2994	2236	2818	4798	2603	2870	3949	22268
Rockets	370	329	267	174	395	170	378	2083
Rocket Booster	156	203	144	99	66	24	119	811
Mines	1101	217	307	766	1049	634	552	4666
Guns	30	79	81	95	223	370	303	1181
Explosive [kg]	1966	588	436	3275	1342	1484	2382	11473
Bomb	708	72	228	376	56	126	31	1597
Grenades Launchers	-	-	1	10	56	27	21	115
Mortar	-	-	-	12	7	12	3	34
WT Sets	22	37	68	171	211	246	413	1168

Source: Annual Report, 1996-97, Ministry of Home Affairs, New Delhi.

If media reports, both from India and Pakistan, are to be believed, then there are a number of training centres for Kashmiri militants and foreign mercenaries in Pakistan and Pakistan Occupied Kashmir [PoK], run by Pakistan Army personnel

and ISI officials. A number of reports published by several impartial organizations have suggested a number of times about the involvement of Pakistan in imparting training and supplying arms and ammunition to the Kashmir militants. One of the most respected journalists of India, Mr Dev P. Kumar, has listed some 108 such training camps in Pakistan, Afghan border and PoK.

TABLE 11  
MILITANTS TRAINING CAMPS

PAKISTAN	<ol style="list-style-type: none"> <li>1. Abbottabad</li> <li>2. Attock</li> <li>3. Ayubia Camp Near Muzaffarabad</li> <li>4. Bajaur, NWFP</li> <li>5. Chakwal</li> <li>6. Chandni Chowk, Rawalpindi</li> <li>7. Fatehbad near Rawalpindi</li> <li>8. Fatehjang near Rawalpindi</li> <li>9. Gujranwala</li> <li>10. Gujrat</li> <li>11. Gulbarg near Lahore</li> <li>12. Hospital Camp, Jhari</li> <li>13. Ilaqa Gair near Rawalpindi</li> <li>14. Islamabad near Airbase</li> <li>15. Jabri</li> <li>16. Jhari Camp near Islamabad</li> <li>17. Jhelum</li> <li>18. Kahuta</li> <li>19. Kohala</li> <li>20. Kotli</li> <li>21. Lahore</li> <li>22. Labore, FIU Guest House</li> <li>23. Muree</li> <li>24. Ojheri Camp</li> </ol>
----------	--

	<p>25. Peshawar</p> <p>26. Rainawalal Colony Shahora, Lahore</p> <p>27. Rawalpindi</p> <p>28. Shinkiari</p> <p>29. Sialkot</p> <p>30. The Falia, Gujrat</p> <p>31. Alipur Chatha</p> <p>32. Bandar Road, Karachi</p> <p>33. Kakul</p> <p>34. Para Chinar</p> <p>35. Planchi</p> <p>36. Saidgali</p> <p>37. Sargoda</p> <p>38. Sheikhpora</p> <p>39. Tehal [ Thal ]</p> <p>40. Thang</p> <p>41. Uthal, Baluchistan</p> <p>42. Warshak, NWFP</p> <p>43. Kohat</p> <p>44. Chaklala [near Rawalpindi]</p> <p>45. Thandiani</p> <p>46. Shoukat</p> <p>47. Dera Ghazi Khan</p>
AFGHANISTAN BORDER	<p>48. Gazni</p> <p>49. Pukhta</p>
	MILITANTS TRAINING CAMP
	<p>50. Sarkanar, Kunar Province</p> <p>51. Khost</p> <p>52. Hekmatyar</p> <p>53. Khalil Markaz</p> <p>54. Shalfia Markaz</p> <p>55. Yawar</p>

PAKISTAN OCCUPIED KASHMIR [POK]

56. Aliabad
57. Arza
58. Athmuqam
59. Bagh
60. Bandi near Muzaffarabad
61. Bhatipora
62. Bhimber
63. Chalkote near Rawalkote
64. Chilan near Muzaffarabad
65. Ghinari
66. Dehni Nea Muzaffarabad
67. Dilawar
68. Dudhnial
69. Dongri near Kotli
70. Gilgit
71. Gojra Fort
72. Hajira
73. Hollard Jungle area near Kotli
74. Jari Khas
75. Kamari
76. Kel
77. Kotli
78. Lahabadpur
79. Lesha
80. Lipa Valley
81. Madina Market, Muzaffarabad
82. Kakadi Camp near Muzaffarabad
83. Kakri, Muzaffarabad
84. Mang Bajri
85. Mansar Camp
86. Mirpur Town
87. Muzaffarabad, Jei School
88. Mandgail Bagh
89. Palandari

	90. Puni Tander
	91. Rawalkot
	92. Shankot Line, Muzaffarabad
	93. Siot
	94. Chakar
	95. Domel
	96. Garhi
	97. Kanchhatra
	98. Gultari
	99. Match Factory, Muzaffarabad
	100. Dumail
	101. Hari Gail
	102. Planfi
	103. Manshera Forest
	104. Garhi Habibullah
	105. Jhallan near Dhani Camp
	106. Sharian Chettyar [POK]
	107. Sensa near Kotli
	108. Buthi Camp near Muzaffarabad [POK]

Source: D.P. Kumar, Kashmir: Pakistan's Proxy War, Har Anand Publishers, New Delhi, 1993, pp. 220-222

The above discussion proves that Pakistan is engaged fully in a low intensity conflict with India over the Kashmir issue. It views Kashmir as the unfinished component of the legacy of Jinnah. Apart from this, Pakistan desperately needs an external challenge for its own domestic political reasons, it needs to create grounds for its military and ISI to do something other than interfering in politics. Though of late, Pakistan has received some major set backs, i.e., disillusionment among foreign



mercenaries, stiff resistance from Indian security forces and loss of international support, yet it has not stopped its activities fully.

#### **ROLE OF SECURITY FORCES**

Because of the extraordinary situation in Jammu and Kashmir, there are three main categories of Indian security forces — the Jammu and Kashmir Police [JKP], the Paramilitary Forces, and the Indian Army, deployed for the maintenance of internal security. Before dealing with the roles played by these security forces, it is pertinent to examine certain constitutional facts.

Items 1 and 2 of the state list in the seventh schedule of Article 246 of the Indian Constitution entrusts the states and the union territories with the responsibility of 'public order' and 'police'. Similarly, list-I, item 2 of the Constitution empowers the Union Government to raise Naval, Military and the Air Forces as also 'other armed forces' of the Union, since after independence, due to varied reasons, India witnessed a number of separatist movements, armed insurgency, political turmoil and communalism. As a reaction to many events that had taken place, the Government of India, from time to time, has been sanctioning the creation of many paramilitary forces, jointly referred as the 'Central Police Organizations' [CPOs]. At present, there are four CPOs, i.e., the Central Reserve Police Force [CRPF], the Assam Rifles [AR], the Border Security Force [BSF], and the Indo-Tibetan Border Police. All these forces fall in the category of 'other armed forces of the Union' and the word 'police' in the title of CRPF and ITBP is a misnomer.

Following discussion on functioning of the Security Forces in Jammu and Kashmir would deal with the aims, achievements and the problems of these forces.

### **THE JAMMU AND KASHMIR POLICE FORCE [JKP]**

The JKP has been sub-divided into three main divisions — Armed Police [AP], the Civil Police [CP] [including traffic police], and Criminal Investigation [CI] and security.

Theoretically, it is the primary responsibility of JKP to maintain overall law and order in the state. However, practically JKP have been mainly sidelined since the insurgency began. Very often two reasons are cited for this. First, 'insurgency in Kashmir is a war against the state and the police are not trained to tackle a war'.<sup>24</sup> Secondly, the police strikes of January 1990 and April 1993 apparently made the policy makers suspicious about the loyalty of the JKP. 'Many of the rank and file of the JKP were widely suspected of harbouring ambivalent feelings about, if not actively sympathizing with the Kashmiri militants'.<sup>25</sup> To be frank, the political leadership also played a destructive role in alienating the JKP. It is unfortunate that some people were appointed to lead JKP who never trusted JKP and favoured to trust rather the paramilitary forces.

In a situation like Kashmir, periodical screening of police personnel is necessary to prevent infiltration of extremists in the police force. At the same time a positive attitude must be developed towards the confidence building and over all

---

24 S.K. Ghosh and K.F. Rustamji (ed.), *Encyclopedia of Police in India*, vol. II, Part-B, p. 1197.

25 Robert G. Wirsing, *India, Pakistan and the Kashmir Dispute*,

development of the state police. Because it is the state police which is going to stay and handle the problem in the long run. One should learn something from the counter terrorist operation in Punjab, where most of the counter terrorist operations were, by and large, managed by the state police headed by K.P.S. Gill. True, Punjab and Kashmir are two different propositions, yet it is a fact that having an effective police force means winning half the battle of tackling an insurgency because it is the state police which knows the nooks and crannies of the region.

However, of late, it seems the government has realized this truth and kept the state police under the unified command in May 1993. The Governor, Gen. K.V. Krishna Rao, said in the meeting of the State Security Board, on 23rd July 1994, that "I feel by your involving them in operations with BSF and Army, they will gain some experience and confidence".<sup>26</sup>

#### **ROLE OF PARAMILITARY FORCES**

There are two major para-military forces operating in Jammu and Kashmir for the internal security duties, i.e., the Border Security Force and the Central Reserve Police Force.

The BSF was raised in 1965 to replace the multiplicity of State Police Forces guarding the borders. The present strength of BSF is 156 Battalions, 20 Post-Group Artillery, 4 Premier Training Institutions, 9 subsidiary Training Centres, Water Wing, Air Wing besides a Signal Regiment. BSF have also 9 Special Units to guard the International Border length of 7,410.7 Kms. It has its Headquarters, known as 'the

---

26 Department of Information, J & K Govt., **Peace and Democracy: Selected Speeches of Gen. K.V. Krishna Rao.**

'Directorate General, Border Security Forces' in New Delhi along with 8 Frontier Headquarters and 26 Sectors all along the International Border. Though BSF comes under the jurisdiction of Home Ministry, but during the operations, it comes under the command of the Army.

In Jammu and Kashmir, BSF is vested with legal powers under Section 139 of the BSF Act with the objective of preventing transborder crimes, smuggling, infiltration/exfiltration and other illegal activities. However, since 1992, BSF is the primary force performing the internal security tasks in Srinagar and adjacent areas. It is being calculated by the security analysts that presently there are some 40,000 BSF men working in Jammu and Kashmir. BSF has been given the responsibility of carrying out search and cordon operations, militant operations in specified rural blocks and protect vital installations. Following Table shows the achievements of BSF in relation to counter terrorist operations.

TABLE 12

	1990	1991	1992	1993	1994	1995	1996	1997	Total
Militants killed	181	219	312	393	272	160	101	27	1665
Militants apprehended	683	789	1857	1818	1235	980	872	232	8466
Surrendered	33	405	180	15	24	38	114	13	822
<b>SEIZURE OF ARMS</b>									
AK Series	355	644	865	522	569	482	421	96	3954
Other Rifles	2	5	10	27	11	28	31	5	119
UMG/DMG/GPMG/IMG	21	25	33	38	28	12	13	4	174
Guns	9	10	38	51	47	44	81	36	316
Pistol/Rev	243	360	290	189	265	266	294	82	1989
Sten/Carbine	1	1	0	1	1	1	1	0	6
RPG/ RL/ GL	28	37	32	12	21	13	13	2	158
Total Arms	659	1082	1268	840	942	846	854	225	6716
<b>SEIZURE OF AMN</b>									
AK Amn	47608	55244	59776	44571	33515	40936	46852	9062	337564
Other Amn	14689	8327	10718	8160	7426	7060	16352	2905	75637
Total Amn	62897	63571	70494	52731	40941	47996	63204	11967	413201
Grenades	852	645	597	581	601	767	981	288	5312
Rocket/Bomb	114	62	81	51	51	91	49	14	513
IED	0	0	42	118	81	77	94	37	449
Explosive [Kgs]	1225.000	36.200	96.950	285.350	1085.050	407.105	2848.669	147.450	6131.774
<b>BSF CASUALTY</b>									
Killed	38	53	71	107	85	52	39	5	450
Injured	129	272	489	594	531	350	243	39	2647

Source: Directorate General, BSF, New Delhi.

Another paramilitary force which is also, to some extent, entrusted with the internal security tasks is the Central Reserve Police Force. In 1992, according to the military observers, there were 70 companies of CRPF operating in the valley. However, since early 1993, 'the CRPF was increasingly substituted by BSF, because of complaints of violation of human rights against them'.<sup>27</sup>

### **INDIAN ARMY AND ITS ROLE IN KASHMIR**

Indian army is organized into six commands, i.e., the Western Command, Eastern Command, Southern Command, Central Command, Northern Command and a Training Command. Each command is headed by a General Officer Commanding-in-Chief who is of the rank of Lieutenant General. The entire Kashmir region of Jammu and Kashmir falls under the Army's Northern Command, which consists of some 3,00,000 troops. This Northern command has the primary responsibility to defend over a thousand kilometers each of the border and line of control with Pakistan, and an equivalent length of the Indian border with China.

Until 1990, Indian Army's role in Kashmir was strictly restricted to prevent the violation of external boundaries, principally the Cease Fire Line [CFL] / Line of Control [LOC]. But since 1990, the ground realities of Jammu and Kashmir changed dramatically. The Pakistan connection, high level of violence, large scale infiltration by foreign mercenaries and exfiltration of Kashmiri militants to Pakistan/POK and use of sophisticated weapons by militants; all these factors forced the Government of India to instruct the army to take the counter insurgency role in the valley. The primary task given to Army was to seal the LOC to cut-off foreign support to the

---

27 Ved Marwah, *Uncivil Wars: Pathology of Terrorism in India*,

insurgents. Because infiltration through LOC by foreign mercenaries has a very serious effect upon the course of terrorism in the valley. These foreign mercenaries have sufficient experience in guerrilla warfare in Afghanistan and hence they are very much responsible in intensifying the violence in the valley. However, it took some time for the army to take control of the infiltration issue. because patrolling of the LOC is extremely difficult at higher elevations, where deep snows hinder movements most of the year. Secondly, it also took time for them to establish their intelligence net work to stress the routes and modus operandi of infiltrators and their operators, including the support provided by the dormant sympathizers. But once they established their intelligence since 1992 onwards, government reports show that they have been successful, to a large extent, to check the infiltration by the foreign mercenaries.

Another important responsibility given to Army was to take control of some of the outlying rural areas where militants activity were concentrated. Apart from those two primary responsibilities, the Army have been assisting effectively the civilian administration and the functioning of CPOs. Also when extraordinary situations arise, which the government thinks, army would handle better, then army is being called to defuse the crisis. For example, the Hazratbal crisis and the Charar-e-Sharif incident.

Since 1992 onwards, the counter insurgency operations of Indian Army, seems to be more coordinated. They have been instructed by their commanding authority to follow a two-fold strategy in their counter insurgency move. First, 'use of minimum force' which implies the deployment of troops and the use, if any, of fire power

commensurate. The 'principle of good faith' implies that operations be conducted with good intentions and with due concerns for the dignity of the civil population.<sup>28</sup> The Army's instruction to the units operating in the valley includes the highest standard of discipline at all levels and it covers all the tactical drills and procedures such as Quick Reaction Teams [QRTs], Road Opening Patrols [ROPs], patrolling, ambushes which are to be carried on by using only light weapons and only if necessary. In these instructions there is a repeated mention of the need to show due respect to civilians as well as their womenfolk. The role of electronic media as well as of human rights organizations have been emphasized in these instructions.

Apart from these instructions, specific guidelines are being issued for both the short term and long term measures to bring the Kashmir people into National Mainstream.<sup>29</sup> The short terms measures include both, usual military guidelines as well as the emphasis on the need for greater civil-military cooperation which also includes the involvement of local Jammu and Kashmir Policemen in counter insurgency operations. Prevention of torture and custodial deaths of those apprehended, are also highlighted in these guidelines. More interestingly, these guidelines suggest the army units to make further gains of killing and apprehending the anti-nationals during the winter months. These short team measures aim clearly at winning the heart and minds of Kashmiris.



TH-6807

---

28 Source: A Document titled: **Instructions to Unit Serving in Kashmir Valley**, obtained from the Army Headquarters.

29 Source: A Document titled: **Guidelines to Combat Insurgency in the Valley**, obtained from the Army Headquarters.



The long term measures, as mentioned in the guidelines, spell out the socio-political problems and offer some pertinent suggestions. In the first place it advocates the need to provide a clean and just civil administration, and to identify the corrupt and inefficient civil and police officers. It also suggests for the creation of more job opportunities for the Kashmiri people.

The main role of the Indian Army continues to be its deployment on the Line of Control [LOC]. The presence of Army in strength has proved a major deterrent against armed infiltration across the LOC. The passage of Disturbed Areas Act, the establishment of an elaborate informant apparatus throughout the valley; the erection of a four tiered security belt [Forward Defended Area] stretching back about three miles from the LOC; more effective air and ground patrolling as well as system of mandatory identity cards have certainly raised the risks of infiltration very substantially, if not completely ended it.

The role of Indian Army in relation to civil population is an issue which is being continuously debated. It is a fact that Army personnel are trained to fight the well-armed adversary by using maximum fire-power and mobility so as to cause maximum damage sustaining minimum casualties. So when they are put in police or even paramilitary duties, the whole training ethos is reversed.

The main problem regarding the functioning of these security forces is lack of coordination. Though there is a 'Unified Command' established in 1993, the entire coordination of this concept has yet to be enforced. The main problem with the whole concept of Unified Command is that it has not been legally established and the Government has not spelled out its power or responsibility. 'Therefore, while the

Unified Command has managed to unify the efforts of various agencies, to a degree, its output falls well below that for which it was created'.<sup>30</sup> Secondly, both the Army and the paramilitary forces maintain their own intelligence. Apart from it, there are few other intelligence agencies which operate in the valley. All these intelligence agencies functions separately and remain autonomous. As according to Masoof Raza, 'This has led to watertight compartmentalization between the Army, the paramilitary and the intelligence agencies who often-end up working at cross purposes'.<sup>31</sup> Thirdly, the security forces operating in the valley have practically no experience handling a situation like that of Kashmir. Though, Indian Army has an experience in handling counter insurgency operations in North East and Punjab, yet the situation of Kashmir is totally different. The role of external factor is a salient feature of Kashmir whereas this was minimal in North East and Punjab. Fourthly, there is no clear-cut principle on the basis of which the security forces would fight the militancy. 'Most senior military commanders remain sadly wedded to the philosophy of quantifying their performance in a non-productive 'numbers game', i.e., to judge their success in the valley'.<sup>32</sup> Finally, another problem which the security forces operating in the valley, are facing is regarding the weapons. While the militants generally use more sophisticated weapons in their encounter with Security personnel, the security personnel are provided with obsolete light weapons such as 7.62 mm [SLR] Rifles and the 9 mm semi-automatic carbines. "With these weapons [more suited for

---

30 *Indian Defence Review*, July 1994, *op.cit.*, p. 31.

31 Masoof Raza, **Wars and No Peace Over Kashmir**, Lancer Publishers, New Delhi, 1996, p. 94.

32 Masoof Raza, **Wars and No Peace Over Kashmir**, Lancer Publishers, New Delhi, 1996, p. 94.

the conventional battlefield], the average soldier is at a disadvantage in comparison to the militants using the lethal and more suitable AK 47 [or Type-56] automatic rifles”.<sup>33</sup>

Though the Indian Security Forces, of late, seem to have achieved some amount of success in counter insurgency operations, yet the above mentioned problems need immediate consideration. Because unless the security forces keep themselves upto the latest technology and developments, even a small fraction of terrorists will become a major threat. So, it is the duty of the Government to ensure that security forces are well ahead in every sphere of activity ranging from training to weaponry and intelligence to proper coordination.

---

33      *Ibid.*, p. 101.

## **CHAPTER V**

### **CONCLUSION**

Terrorism is a dynamic, and not a static concept. It is very much difficult to generalize things when one is dealing with a sensitive issue like terrorism. Enough has been said and written in the contemporary literature on terrorism regarding its definitional problem. But these definitional problems cannot change the fact that terrorism is one of the greatest dangers mankind is facing today. Apart from the definitional problems, the strategies and tactics of terrorist violence are enough to suggest that it is a crime not only against the state apparatus, but also against the innocent population. Moreover, modern democracies all over the world, more or less, believe in the principles of persuasion, consensus and negotiation; consider terrorism as a threat to their national security and hence put terrorism under the legal framework of national security. Terrorist is a political actor with armed politics as his creed. Terrorism is political and an electoral phenomenon. It subverts normal democratic norms, values, structures and processes.

The complex nature of terrorism also has its effect upon the policy making bodies. It has been a major problem with the policy makers to come out with an 'all effective' policy to counter terrorism. Because when dealing with counter-terrorist policy, several factors come up, i.e., the internal and external dimension of the problem, the issue of fundamental freedom and human rights. In a country like India, with a distinct feature of pluralistic society, it is, indeed, very much difficult to deal with extremist violence, where ethnic, religious and political minorities' sensibilities

may be invoked to support terrorist movements for secession and independence. Given the fact, though India has a long experience in handling counter insurgency operations in North East, Punjab and now in Kashmir, it seems, still the policy makers have not been able to develop a coherent national security policy and counter terrorist strategy. It is high time that India's political, administrative and military leadership should realize the importance of national security and come up with a fresh approach to the whole framework of national security. In spite of a well-laid legal framework for the maintenance of internal security, the administrative and security machineries often find it difficult to deal with a situation like Kashmir. It is pertinent that now at least India should evolve a concrete decision-making structure to deal with the internal security threats. Some arrangements at the state levels have given a pattern in which ex-military officers are advisors to government.

It is the need of the hour that India's front-line politicians should learn some statesmanship. The preference of electoral issues over the national security issues, is largely responsible for the current state of affairs in Kashmir. There is enough evidence as to how the centre used Article 370 for its own political (mis)calculation. This practice of centre has been viewed by the people of Kashmir as deliberate attack on their independence and freedom. Therefore, it is required that the Government of India should review the whole framework of centre-state relationship and the case of Jammu and Kashmir with all its specificities.

Enough has been lost, maximum sacrifices have been made in the pursuit of government's policy of 'tolerable level of violence', and thus a firm stand on Kashmir is required. To declare that Kashmir is an inseparable part of India is

something and to believe and implement it, is something different. It is always easy to find solution when the problem begins. But in relation to Kashmir, government either neglected it or overlooked in the beginning, which for the whole of India is paying now. Generally, the government, unlike those in Israel and the USA, follows a policy of defence and not deterrence. The pleas are being made for such a shift when political parties demand bombing of training camps. We think that the parameter of defence needs to be retained and more thought gone into evolving counter terrorist strategies.

An analysis of the government policies on Kashmir since 1994 shows that the government is trying to solve the Kashmir problem in the line of Punjab. It appears that the government consider elections as a pre-requisite for the restoration of political process in the state. But one should not forget the fact that neither Punjab is Jammu and Kashmir nor vice-versa. However, just elections cannot be a solution in Kashmir. Because the ground of militancy was not prepared overnight, but developed over a period . Moreover, the policy makers must realize the fact that the cost of ruling an unwilling people can be very high. There are enough legitimate problems and grievances of the people of Kashmir. It should not be forgotten that not all Kashmiris are anti-Indian or pro-Pakistan. At the time of independence, Kashmir was the only state which had the freedom to choose either India or Pakistan for accession. It preferred for accession to India. However, since independence due to varied reasons, it seems, the overall development process in Kashmir is bit slow. There have always been a problem of unemployment and economic disparity in Kashmir. Political class and administrative bureaucracy is corrupt and that leads to

lack of development which causes dissatisfaction among simple Kashmiri people who have the spirit of composite culture. So in order to gain back the faith and confidence of the people of Kashmir valley a full scale economy package needs to be implemented. Because, it is always easier to find a solution of the political problems in a condition where people are more or less satisfied with the functioning of government.

The involvement of Pakistan and its undeclared proxy war have made the situations in Kashmir more worse in the last decade. It has been a decade now that Pakistan is engaged with an unconventional warfare with India over the Kashmir issue. It has used all the cards of a proxy war, i.e., spreading religious fanaticism, providing funds, weapons and training to the militants and also a systematic propaganda to generate anti-Indian feeling. The foreign mercenaries sent by Pakistan created a lots of problems in the Kashmir valley. But due to well-coordinated efforts, the Indian Army have been till now able to check the infiltration of foreign mercenaries to a large extent. Pakistan's foremost aim in Kashmir is to spread Muslim fundamentalism. The subsequent incidents of Hazratbal shrine and Charar-e-Sharif are only to prove that Pakistan intends to destroy the Sufi character of Kashmir. It is a plan of Pakistani strategy to propagate that Islam is in danger in Kashmir. India needs to develop a proper media strategy to counter this move of Pakistan because success of terrorism depends a lot upon propaganda. To counter the hostile propaganda of Pakistan, it is pertinent for the Government of India to expose Pakistan's proxy war tactics to the world community.

A number of fundamentalist organizations exist in the valley who are spreading the cause of religious fanaticism. It is the responsibility of the Government to see that these organizations do not succeed in their aim. These organizations must be dealt with firmly.

Political leadership of Pakistan never misses any opportunity to raise Kashmir issue in any international forum. However, this move of Pakistan is being effectively countered by Indian diplomats and political leaders. India has never denied to discuss bilaterally the Kashmir issue on the basis of Shimla Agreement, but it is Pakistan that never intends for a bilateral set up with India. In spite of Pakistan's repeated attempt to raise Kashmir issue in various international forum, India has managed to get support from the majority of international community on its stand that 'Kashmir is an internal matter of India but India is prepared to discuss with Pakistan on the basis of Shimla Agreement'.

The role of Indian security forces in Jammu and Kashmir is another issue which is often being debated. There are three different security forces operating in the Kashmir. Indian Army, to a large extent, have been successful in checking the infiltration and exfiltration around the Line of Control [LOC]. Regarding Army's role in handling the civil population in towns, it is often being questioned by many security observers that it should be avoided as far as possible. Because the army is trained to fight an external enemy by using maximum force. But this is not to suggest that army do not have any role in the maintenance of internal security. Terrorists in Kashmir use sophisticated weapons and are sufficiently trained in ISI maintained training centres. They are trained to wage an unconventional war against India. And



the state police of Jammu and Kashmir and other paramilitary forces are neither trained nor well-equipped to fight the modern tactics of terrorist violence perused by militants in Kashmir. The higher level of violence by several militant outfits also involve the danger that people might lose faith upon the ability and credibility of the security forces. Another issue which needs a serious rethinking is that long term deployment of army for internal security also often affects adversely upon the effectiveness of the force. However, in relation to the situation in Jammu and Kashmir, it seems that the Government at present has no alternative except using the army for the maintenance of internal security, unless and until it raises or develops another specially trained force to fight terrorism.

A lot of things depend upon the nature and function of the Security Forces. The inability of security forces in defusing terrorist attacks expose the fact that there is lack of coordination and failure of intelligence and the security forces. In a situation like Jammu and Kashmir, the success of anti-terrorist campaign depends a lot on the success of intelligence networks. But the problems is that all the Security forces working in the valley are the forces of three different organs. The army comes under the Ministry of Defence whereas the paramilitary forces come under the Ministry of Home Affairs and the Jammu and Kashmir police is the force of state government. All the three forces maintain their own intelligence and very often they are reluctant to share the information. For the success of anti-terrorist campaigns in Jammu and Kashmir, a proper coordination among security forces and the realization of the concept of unified command is the need of the hour.

The inept handling by India's paramilitary forces [BSF/CRPF] in regard to mob control, i.e., the Sopore incident exposes another weakness of the training and preparedness of such forces. Hence, it would be for the betterment that paramilitary forces work under a centralized command and be located in tactically sited camps away from densely populated localities. A proper methodology for dispersal of large mob without unnecessary collateral damage must be devised.

Till now government is following the policy of defence not deterrence in handling the Kashmir situation. To some extent, government has been successful with its aims by following this policy because retaliatory policy often raises the importance and significance of the terrorist organization. It is the fall out of government's policy that several militant outfits in the valley are now disillusioned. However, it is pertinent for the government not to go beyond certain point because it is the primary responsibility of the Government of India to protect Jammu and Kashmir and the people of Jammu and Kashmir.

It is also pertinent that government should not calculate its success through the 'number' game. Because it is fighting to win over the people not to eliminate them. Moreover, Kashmir is a political problem and should be sorted out politically. It is true that it is a part of the militants strategy to provoke the security personnel. At the same time, it is also true that the security personnel should realize that they are fighting not to some elements, but they are fighting for the cause of national integrity, sovereignty and security.

In the present situation Government needs to develop a multi-dimensional approach to solve the Kashmir situation. It is high time and no government

can afford to let the violence continue in Jammu and Kashmir. Both the internal and external dimensions of Kashmir terrorism, and some lessons from past mistakes are to be viewed properly to formulate an effective policy on Kashmir.

Militancy, all over the world, has a distinct feature, i.e., militancy has three dimensions; people, government and militants. So, it should be the government strategy to win over the people as well as give a firm fight to militants. It is for the interest of Kashmir and for that matter India; that before taking any decision upon Kashmir, the policy makers should always remember that radical changes does not come easily, it requires a sound strategy of public affair as delivery vehicle.

During 1997, the restoration of electoral process with some amount of satisfactory participation by the political elements of Kashmir has ~~been~~ a sense of hope for an early and permanent solution of Kashmir problem. However, the danger that militants may strike back is still there. Also, the Gujral initiatives on Kashmir, though a comparatively small scale programme, might be seen as a new beginning.

## BIBLIOGRAPHY

### PRIMARY SOURCE

**Annual Reports**, Ministry of Defence, from 1989-90 to 1996-97.

**Annual Reports**, Ministry of Home Affairs, from 1989-90 to 1996-97.

**Autonomy Package for Jammu and Kashmir**, 1995.

**Black Laws and White Lies**, a Report released by the People's Union For Democratic Rights, in May 1995.

**Criminal Law [Amendment] Bill**, 1995.

**Constitution of India**, Government of India, 1995.

Defence Committee [1992-93], **Nineteenth Report**, Ministry of Defence: **Defence Force Levels, Manpower, Management and Policy**, New Delhi, Lok Sabha Secretariat, 1992.

**Guidelines to Combat Insurgency in the Valley**, Army Headquarters, New Delhi, 1990-95.

**Instructions to the Units Serving in Kashmir Valley**, Army Headquarters, New Delhi, 1990-95.

**Package of Preventive Procedural Rules -1993**, Ministry of Home Affairs, Government of India, 1993.

Statement by Bhuvnesh Chaturvedi in Reply to **Lok Sabha Starred Question No. 45**, 2nd August 1995 regarding Kashmir issue.

Statement referred to in answer to **Lok Sabha Starred Question No. 63** for 12th December 1994 regarding Kashmir issue.

Statement referred to in reply to **Rajya Sabha Starred Question No. 2221** on 22nd December 1994 regarding Kashmir issue.

**The Terrorist and Disruptive Activities [Prevention] Bill, 1987.**

LOK Sabha Bulletin (Part - I), February-22, 1994, No. 260.

**SECONDARY SOURCE**

Akbar, M.J., **Kashmir Behind the Vale**, Viking, London, 1991.

Al-Mashat, A., **National Security in The Third World**, Westview Press, Colorado, 1985.

Alexander, Yonah, Carlton, David, and Wilkinson, Paul (ed), **Terrorism : Theory and Practice**, Westview Press, Boulder, 1980.

Alexander, Yonah, and Friedlander, Robert A., **Self-Determination: National, Regional and Global Perspectives**, Westview Press, 1980.

Alexander, Yonah, and Ebinger, Charles K. (eds.), **Political Terrorism and Energy: The Threat and Response**, Praeger, New York, 1982.

Arendt, Hannah, **On Revolution**, Viking Press, New York, 1963.

Arendt, Hannah, **On Violence**, Harcourt Brace Jovanovich, New York, 1966.

Aron, Raymond, **History and the Dialectic of Violence : An Analysis of Sartre's 'Critique de la Raison Dialectique'**, Blackwell, London, 1975.

Azar, Edward E., and Moon, Chung-in (eds.), **National Security in the Third World: The Management of Internal and External Threats**, Edward Elgar Publishing Limited, England, 1988.

Berkowitz, M., and Bock, P.G. (eds.), **American National Security : A Reader in Theory and Policy**, Free Press, New York, 1965.

- Bingham, Jonathan B., and Alfred M. Bingham, **Violence and Democracy**, New York, World, 1971.
- Blaufard, Douglas S., **The Counter-Insurgency Era: US Doctrine and Performance**, The Free Press, London, 1977.
- Burton, Anthony, **Revolutionary Violence**, Crane Russak & Co., New York, 1978.
- Buzan, Barry, **People, States and Fear : The National Security Problem in International Relations**, Transasia Publishers, New Delhi, 1987.
- Chopra, V.D., **Genesis of Indo-Pak Conflict on Kashmir**, Patriot, 1990.
- Chopra, V.D., **Genesis of Regional Conflict : Kashmir, Afghanistan, Cambodia, West Asia, Chechenya**, Gyan Publishing House, New Delhi, 1996.
- Crenshaw, Martha, **Revolutionary Terrorism**, Stanford, Hoover Institution Publication, 1978.
- Crenshaw, Martha, **Terrorism, Legitimacy and Power**, Wesleyan University Press, Middle Town, 1983.
- Gadro, S.N., **Kashmir Papers**, Free Thought Literature Company, Srinagar, 1993.
- Ghosh, S.K. and Rustamji (eds.), **Encyclopaedia of Police in India**, vol. II, Part-B, Ashish Publishing House, New Delhi, 1994.
- Ghosh, S.K., **Terrorism : World Under Siege**, Ashish Publishing House, New Delhi, 1995.
- Gilbert, Paul, **Terrorism, Security and Nationality: An Introductory Study in Applied Political Philosophy**, Routledge, London, 1994.
- Handrieder, Wolfram, and Lary Buel, **Words and Arms**, Boulder, Colorado, Westview Press, 1979.

Hanle, Donald F., **Terrorism The Newest Face of War**, Pargamon-Brassey's, International Defence Publishers, USA, 1989.

Hartgen, **Crime and Criminalization**, Little Brown, Boston, 1970.

Hewitt, Christopher, **The Effectiveness of Anti-Terrorist Policies**, University Press of America, New York, 1984.

Hidayatullah, Justice M., and Manohar, V.R., **The Indian Penal Code**, Wadhwa and Company Law Publishers, Nagpur, 1995.

Jagmohan, **My Frozen Turbulence in Kashmir**, Allied Publishers, New Delhi, 1993.

Janke, P. (ed.), **Terrorism and Democracy : Some Contemporary Case**, Macmillan, London, 1992.

Kadian, Rajesh, **The Kashmir Tangle**, Westview Press, Boulder, 1993.

Karim, Maj. Gen. Asfir, **Counter Terrorism: The Pakistan Factor**, Lancer International, New Delhi, 1991.

Khurshid, Salman, **Beyond Terrorism : New Hope for Kashmir**, UBSD, New Delhi, 1995.

Kishore, Nand, **International Terrorism : A New Kind of Conflict [A Study of Strategy and Tactics]**, S. Chand & Co. Ltd., New Delhi, 1989.

Kumar, Dev P., **Kashmir Return to Democracy**, Cosmo Publications, New Delhi, 1997.

Kumar, B.V., **Preventive Detention Laws of India**, Konark Publishers, New Delhi, 1991.

Kumar, D.P., **Kashmir : Pakistan's Proxy War**, Har Anand Publications, New Delhi, 1994.

- Lamb, Allaister, **Kashmir : A Disputed Legacy**, Oxford University Press, London, 1991.
- Laqueur, Walter, **The Age of Terrorism**, Weidenfeld and Nicolson, London, 1987.
- Lenin, V.I., **Collected Works**, vol. 26, Progress Publishers, Moscow, 1977.
- Long, David E., **The Anatomy of Terrorism**, The Free Press [Macmillan], New York, 1990.
- Marwah, Ved, **Uncivil Wars : Pathology of Terrorism in India**, Harper Collins Publishers India, New Delhi, 1995.
- Marx, Karl, and Engels, Frederick, **Collected Works**, vol. 3, Progress Publishers, Moscow, 1975.
- Moris, Eric, and Alan Hoe, **Terrorism : Threat and Response**, Macmillan, London, 1987.
- Moss, Robert, **Counter Terrorism**, The Economist Brief Books, London, 1972.
- Nanda, Col. Ravi, **National Security : Perspective, Policy and Planning**, Lancer Books, New Delhi, 1991.
- Naqash, Nashir A., and Shah, G.M., **Kashmir From Crisis to Crisis**, APH Publishing Corporation, New Delhi, 1997.
- Netanyahu, Benjamin (ed.), **International Terrorism: Challenge and Response**, The Jonathan Institute, Jerusalem, 1981.
- Pampori, M.S., **Kashmir in Chains**, Pampori Publications, Srinagar, 1992.
- Peace and Democracy, Selected Speeches of K.V. Krishna Rao**, Department of Information J & K Government, 1996.
- Praval, Major K.C., **Indian Army After Independence**, Lancer International, New Delhi, 1990.



- Puri, Balraj, **Kashmir : Towards Insurgency, Tacts for Times**, Orient Longman, Delhi, 1993.
- Quinines, Richard, **The Social Reality of Crime**, Little Brown, Boston, 1970.
- Raina, Dina Nath, **Unhappy Kashmir : The Hidden Story**, Reliance Publication House, New Delhi, 1990.
- Ray, Maj. Gen. Arjun, **Kashmir Diary: Psychology of Militancy**, Manas Publications, New Delhi, 1997.
- Raza, Masoof, **Low Intensity Conflicts : The New Dimensions to India's Military Commitments**, Kartikeya Publications, Meerut, 1995.
- Raza, Masoof, **Wars and No Peace Over Kashmir**, Lancer Publishers, New Delhi, 1996.
- Reich, Walter (ed.), **Origins of Terrorism: Psychologies, Ideologies, Theologies State of Minds**, Cambridge University Press, Cambridge, 1990.
- Saha, B.P., **Transborder Terrorism, Internationalization of Kashmir Tangle**, Har Anand Publications, New Delhi, 1996.
- Saxena, N.S., **Terrorism : History and Facets in the World and in India**, 1985.
- Schmid, A.P., **Political Terrorism**, Transaction Books, New Brunswick, USA, 1983.
- Seger, Karl A., **The Anti-Terrorism Handbook**, Lancer International, New Delhi, 1990.
- Sehgal, B.P. Singh, **Global Terrorism: Socio-Politics and Legal Dimensions**, Deep and Deep Publications, New Delhi, 1995.
- Seligman, E.R., **Encyclopedia of Social Sciences**, vol. 14, Macmillan, New York, 1937.

- Sharma, D.P., **Countering Terrorism**, Lancer Books, New Delhi, 1992.
- Sharma, Sanjay and Mishra, Yatish, **Kashmir Tourism to Terrorism**, Sane Publications, New Delhi, 1995.
- Singh, Jaswant, **Our National Security**, Lancer Publishers, New Delhi, 1995.
- Singh, Naunihal, **The World of Terrorism**, South Asian Publishers, New Delhi, 1989.
- Sinha, Rajeev Kumar, **Crimes Affecting State Security: Problems and Recent Trends**, Deep and Deep Publications, New Delhi, 1995.
- Sinha, Aditya, **Farooq Abdullah, Kashmir's Prodigal Son**, UBS Publishers Distributor Ltd., New Delhi, 1996.
- Subrahmanyam, K., **Our National Security**, Economic and Scientific Research Foundation, Federation House, New Delhi, 1972.
- Thomas, Raju G.C., **Perspectives in Kashmir — The Roots of Conflict in South Asia**, Westview Press, Boulder, Colorado, USA.
- Tiwari, S.C., **Terrorism in India**, South Asian Publishers, New Delhi, 1990.
- Wani, G.M. and Naqish, N.A., **Reflections on Kashmir Politics**, Ashish Publications, New Delhi, 1993.
- Wardlaw, Grant, **Political Terrorism: Theory, Tactics and Counter Measures**, Cambridge University Press, Cambridge, 1989.
- White, J.R., **Terrorism : An Introduction**, Brooks-Core Publishing Co., Pacific Grove, California, 1991.
- Wilkinson, Paul, **Terrorism and Liberal State**, Macmillan, London, 1986.
- Wilkinson, Paul, and Stewart (ed.), **Contemporary Research on Terrorism**, Aberdeen University Press, Aberdeen, 1987.

Wirsing, Robert G., **India, Pakistan and the Kashmir Dispute**, Rupa & Co., New Delhi, 1995.

Wolfers, Arnold, **Discord and Collaboration**, Baltimore, Md., John Hopkins Press, 1975.

## **JOURNALS**

“A Shocking Setback”, **India Today**, May 31, 1995.

Baweja, Harinder, “Kashmir: Propping Up The Enemy’s Enemy”, **India Today**, December 15, 1995.

Chari, P.R., “Governance and Internal Security”, **Indian Defence Review**, July 1993.

Crelinstein, Ronald, “Terrorism, Counter Terrorism and Threat of Violence”, **Terrorism and Political Violence**, vol. I, no. 2, April 1989.

Danus, Lyod, “Systems Reliability and National Insecurity”, **Peace Research Review**, vol. 7, November 1977.

Gupta, Rakesh, “Terrorism As a Warfare Metaphor”, **Strategic Analysis**, December, 1993.

Hari Om, “Kashmir Problem : A View From Within”, **Indian Defence Review**, vol. 8 [4 ], October 1993.

**Indian Defence Review Editorial Team**, “Kashmir : An On The Spot Study”, vol. 9 [7], July 1994.

Intoccia, Gregory F., “International Legal and Policy Implications of An American Counter-Terrorist Strategy”, Denver, **Journal of International Law and Policy**, vol. 14 [1], 1985.

Khanna, Comm. R.P., “Indian Armed Forces”, **Strategic Digest**, vol. XXVII, no. 6, June 1997.

Kothari, Rajni, "State and Statelessness in our Time", **Economic and Political Weekly**, Annual No., March 1991.

Krishna, Ashok, "Low Intensity Conflict : Future Trends", **Strategic Analysis**, vol. XIX, no. 4, July 1996.

Marwah, Ved., "Internal Security — Emerging Challenge", **Strategic Analysis**, October 1992.

Stobban, P., "Kashmir : The Key Issues", **Strategic Analysis**, vol. XIX [no.1], April 1996.

Subrahmanian, K., "Political Violence, Social Movement and the State in India", Institute of Development Studies, **Occasional Paper 308**, August 1992.

Subrahmanyam, K., "Kashmir", **Strategic Analysis**, vol. XIII [2], May 1990.

**UNI Backgrounder**, November 14, 1995

#### **NEWSPAPERS**

Indian Express [New Delhi]

Indian Express [New Delhi]

The Nation [Lahore]

The Telegraph [Calcutta ]

The Tribune [Chandigarh]

Times of India [New Delhi]