

In January 1990, the crisis deepened in the State as the militant forces mounted a major offensive. The Government of India appointed Jagmohan the Governor of the State. The National Conference Congress coalition resigned from office in protest against the appointment of Jagmohan, who they alleged, harboured ill-will against the Muslims. The sudden rupture of the State government plunged the whole State into chaos. The National Conference cadres and leaders, accused the United Front government in Delhi, of having sent Jagmohan to Kashmir to eliminate the Muslims.

Many of the cadres and ranks of the National Conference, fraternised with the terrorists forces; many of them declared their dissociation from the Conference.

The first blow that the militants dealt, fell on the Hindus of Kashmir. A wild manhunt was unleashed against them, killing hundreds of them in cold blood. As the number of the killings increased, the Hindus began to evacuate from the Valley. Thousands of their houses were burnt down, along with their temples and religious shrines. By the onset of summer, almost the entire Hindu population evacuated from Kashmir, to Jammu and the other parts of the country.¹⁶

The strategies adopted by the militant groups to demolish the administrative organisation of the State and its security apparatus, achieved their aim with devastating effect. The administration, with several of its flanks, working for the militants, crumbled rapidly. "The Muslim bureaucracy played a major role in the demolition of the power structure of the State to pave the way for the functional atrophy of the State government. Right from the time of the Interim Government, the Muslim bureaucracy had been built as a flank of the National Conference, but after the disintegration of the Conference, it had grown into a powerful instrument of Muslim separatism. It was actively assisted by the secessionist flanks in the political parties, which constituted the Government and the nexus between them completed the destruction of

whatever semblance of institutionalisation and survived the ravages of the movement for plebiscite in the State."

The militant violence had a destructive impact on the security structures of the State. "With the onset of militant violence in the State, the security structures in Kashmir, heavily infested by secessionist elements and led by personnel, deeply indoctrinated by the Muslim fundamentalism, crumbled rapidly. The flanks of Kashmir armed police, recruited mainly from among the Muslims of the border districts of both the provinces of Jammu and Kashmir, struck work and mutineed, allegedly on being treated indifferently by the Government."

While the secessionist forces consolidated their hold on Kashmir, they extended their operations to the Muslim majority districts in the Jammu province. The militant operations in the Jammu province were aimed to militarise the Muslim secessionist forces in the Muslim majority districts and drive the Hindus out from there. "If the Hindus in the Jammu Province were isolated in the two districts of Jammu and Kathua and the fringes of Udhampur and Doda, lying least of the Chenab, a basis could be provided for Pakistan to accept the division of the State along Chenab."¹⁷

Several leaders in the Congress, which was now out of power in India, the leaders of the National Conference and some of the factional leaders in the United Front, went as far as to make wild claims that the accession of the State was conditional upon the recognition of its autonomous Muslim identity and the National Conference had supported the accession of the State of India in 1947, on the assurance of Nehru and the other Indian leaders that the Jammu and Kashmir State would not be integrated into the secular political organisation of India. Most of these leaders blamed India and Hindu communalists for having failed to recognise the right of the Muslim majority to reorganise the State on the basis of Muslim law and precept, which they claimed would reflect truly, the plurality of the Indian society.¹⁸

For whatever other reasons there were, and the powerful pressure the Muslim lobbies in the United Front, as well as the Congress, brought to bear on the Indian Government, Jagmohan was removed from his office in May 1990. The United Front Government broke up a few months later, paving the way for the Congress to return to power. The Congress, now in the hands of middle line leaders, who had survived on their commitment to uphold the balances of community and caste balances, clung to its mistaken nations, that:

- (a) the Muslim separatist and secessionist forces had not accepted Pakistan as a factor in their struggle against India;
- (b) Pakistan had, with its ulterior motives of annexing Jammu and Kashmir, used the Muslims of Kashmir against India;
- (c) the Muslim secessionist movements in Kashmir, including the armed militancy, were not communal in content and reflected the urge of the Muslims for a national identity;
- (d) the recognition of the national identity of the Muslims by readjustment in power equations within the framework of the Constitution of India, would end the Muslim distrust in Kashmir.

The Congress leaders, had followed the same policies in 1946, when they had, under the persuasion of the then Congress President, accepted the Cabinet Mission Plan, an a basis for Indian unity. The Cabinet Mission Plan and envisaged a readjustment of power-equations, providing the Indian Muslims, a separate and autonomous sphere of national power, extending over almost the entire north and east of India. The acceptance of the Cabinet Mission Plan by the Congress, had led straight to the partition of India and cut away a large part of Assam and the Bari Doab in the Punjab, which had been rapidly colonised by the masses of Muslim migrants from East Bengal and the West Punjab.¹⁹ The separate political

identity of the Jammu and Kashmir State, envisaged by Article 370, was in several aspects similar to the grouping of Muslim majority provinces into a separate constitutional identity, which the Cabinet Mission Plan underlined. Both the Cabinet Mission Plan and Article 370, led to the same consequences: the consolidation of Muslim separation.

The militant violence spread wider and deeper in the State, inspite of the endeavours of the Congress government to bring back the "misguided Muslim youths" who had been enticed away by Pakistan. The National Conference withered away and its organisational units blew up under the impact of the militant violence. A section of the its leadership withdrew from Kashmir; a section of its cadres and leaders vanished into oblivion. A large section of its leaders and cadres surrendered to the militant regimes. Many of cadres and ranks fraternised with the secessionist forces. On February 2, 1990 the Conference legislators issued a statement in which they said, 'We demand the withdrawal of paramilitary forces from Kashmir, as they have let loose a reign of terror which is unheard of even in South Africa.' One of them, Abdul Rashid Dar, supplemented the statement by calling upon his party, the National Conference, to join the freedom struggle. He declared that he was placing his services at the disposal of the Jammu and Kashmir Liberation Front.

The Conference leaders did not harbour any illusion about the content and the character of the militant violence, raging in the State. Many among them realised the international implications of the Muslim struggle in Kashmir. Some of them saw the weakening of the Soviet Regime as a signal, for new international balances of power, which would be advantageous to Pakistan. Many of them however, waited for an opportunity, should that come their way, to bargain with India, using the Muslim crusade as a lever to secure the State, independence, with Indian guarantees against outside interference.

The militant violence in Kashmir brought to surface the facts that the autonomy of the State was always used as a cover for Muslim communalism and had been effectively used to consolidate the separatist forces in the State. The National Conference had used adroitly, the Indian commitment to secularism, to defened the State from Pakistan. Sheikh Mohammad Abdullah insulated the State from the National mainstream and forged it into a separate political identity till the United Nations intervention foisted proposals for a plebiscite on India. He lost no time to use the United Nations intervention to ensure independence for the Muslim nation of Kashmir. The autonomy of the State was not committed to the secular political organisation of India or the Indian unity, which it professedly supported.

A persistent disinformation campaign aimed to conceal the communal and secessionist character of the terrorist operations in the State, was carried on by the abettors of terrorism, who were joined by the Human Rights activists in India, and several leaders and activists of the National Conference. "Deliberate attempts were always made to provide cover to the evolution of fundamentalism and secessionist movement in the State, right from the time of its accession to India. The various forms of Muslim communalism and separatism which rampaged the life in the State during the last four decades and which imparted to the secessionist movements in the State, their ideological content and tactical direction, were camouflaged under the banners of sub-national autonomy, regional identity and secularism. Largely perceptual aberrations, misplaced notions and subterfuge characterised the official as well as non-official responses to the upheavals which rocked the State from time to time. More often, the real issues confronting the State, were overlooked by deliberate design and for political interests: a policy which in the long run operated to help the secessionist forces to consolidate their ranks."²⁰

With the disintegration of the United Front and the

restoration of the Congress to power in India in the disinformation campaign, assumed a new direction. The Congress government blamed the Janata Dal and the other constituents of the United Front for the crisis in Kashmir, where the Congress leaders alleged, a section of the misguided Muslim youth had been recruited by Pakistan to carry on subversive activities in the State. Some of the Congress leaders attempted to open negotiations with several militant factional leaders. Some of them made a bee-lime for the summer capital of the State, Srinagar, and the district headquarters of the Muslim majority regions in Jammu, ostensibly to carry on a dialogue with the militant flanks.

The Congress leaders had always believed that improvised power equations, redistribution of political patronage and wider financial inputs into Muslim communalism would end the "Muslim alienation" in Kashmir and provide the basis for a settlement of peace. In sheer self-conceit, they clung, tenaciously to their belief that the Muslimisation of the State did not conflict with Indian secularism, and they could strike a bargain with the militant regimes, even if it was at the cost of the Hindus and the other minorities. The Congress leaders repeated their resolve to initiate a political process" in the State, which they vehemently stressed would lead to peace. The Government of India did not specify the changes in the political organisation of the State, the initiation of the political process would involve, except that it would begin with the restoration of the parliamentary regime in the State, which the Constitution of Jammu and Kashmir envisaged. The State Governors balanced themselves between their mentors in Delhi and the terrorist regimes, which wielded real power in the State. They reiterated their resolve, more too often, to suppress terrorism in the State but repeatedly assured the militant regimes of their readiness to open negotiations with them.

In 1995, the National Conference proposed the restoration of the autonomy, the State enjoyed in 1953, as a basis for a

peace-settlement in Kashmir. Evidently, the National Conference leaders sought to use the militancy as a lever to disengage the Jammu and Kashmir from the Indian constitutional organisation, in which it was partially included by the President's Order of 1954.

The Conference leaders demanded that the Government of India announce a political package which recognised the separate political identity of the State based upon the Muslim majority character of its population. The Conference claimed that a settlement could be reached with the militant regimes on the condition that the State would be excluded from the secular constitutional organisation of India, and the Muslim majority would be ensured the right to adopt a constitution for the State which embodied its aspirations. He proposed that after the autonomy of the State was secured, National Conference would, introduce autonomy for the various regions inside the State, to "heal the hurt psyche" of the people of the State and also put to an end to the feelings of regional discrimination among them.

The Indian Government once again resorted to subterfuge, and indulged in vague assertions of its commitment to the autonomy of the State, which at one time, the Indian Prime Minister P.V. Narsimha Rao, termed as "Azadi-short of independence." The Government of India, claimed, that the constitutional framework of India was flexible enough to allow the separation of the Jammu and Kashmir State from the constitutional organisation of India and its reconstitution into a political identity which did not accept secularism and freedom of faith, as its basic ingredients.

The Hindus and the Buddhists expressed sharp disapproval of any compromise with the National Conference on the issue of autonomy. The Hindus of Kashmir, smouldering in exile, denounced the Conference demand for the restoration of 1953 status, as a tactical manoeuvre to prepare the ground for the separation of the Kashmir Valley and Muslim majority

regions of the Jammu province from India, for which the inspiration came from several western powers. The exclusion of the State from the constitutional organisation in the prevailing anarchy, they emphasised, would lead to the consolidation of the secessionist forces in the State. The enthusiasm for "Azadi-short of independence" did not last long. Several Conference leaders made conflicting statements demanding the restoration of pre-1950 position, of the State thereby seeking the exclusion of the State from the territories of the Union as well. The Congress leaders indulged in vague diatribe, perhaps, unaware of what they sought to achieve by according "Azadi-short of independence," to Jammu and Kashmir.²¹

The offer of the Indian Government to consider the demand for the autonomy of the State, as a basis of the transfer of power to the Muslims in Jammu and Kashmir which the "political process" in reality underlined, was a misconceived move. Perhaps, the Congress attempted to strike another deal similar to the one Indira Gandhi had struck with Sheikh Mohammad Abdullah in 1975, to shift the responsibility of facing the militants, over to the National Conference. The time had changed and Narsimha Rao, the Indian Prime Minister, perhaps, failed to realise the enormity of the price the Conference leaders demanded, what would be the guarantee that the National Conference would be able to carry the Muslims with it to counteract the militant violence and bring about normalcy in the State? Nor could it be presumed with any certainty, that the State Government, committed to the precedence of the Muslim majority, would be able to effectively contain Muslim separatism the main motivating force behind the secessionist movements in the State. With the federal instrumentalities, having been dissolved in consequence of the abrogation of the provisions of the Indian Constitution applicable to the State, the Indian Government would be unable to act in case the situation proved difficult for the National Conference to handle.

The elections to the House of the People of the Indian

Parliament were announced in March 1996. The National Conference decided not to participate in the elections in view of the "ground realities" in the State, which, the Conference leaders claimed, were not conducive for the elections. The President of National Conference, Farooq Abdullah, stated in a press communique, that the demand for autonomy was the "basic political issue" with the people of the State. He stressed that the elections would assume meaning only after the demand for autonomy had been considered.

In the parliamentary elections, the Congress was defeated out of power. A coalition of thirteen parties, including the Janta Dal and its tributary factions, the communist parties, and the regional parties formed a United Front Government.

The United Front government, decided to hold elections in the State in 1996. Special procedure of voting was devised for the lakhs of refugees to vote at the places, where they lived in exile. In the province of Jammu and the division of Ladakh, the turnover of the voters was fairly high. In the province of Kashmir, conflicting reports which could not be verified, were received from the province of Kashmir, about the use of force and intimidation and even unfair means, in the elections held there.

The National Conference promised the Muslims to carry them half-way to freedom by restoring the State to its 1953 position, exclude it from the constitutional organisation of India, ensure the Muslims the right to reconstitute the government of the State independent of the imperatives of secularism and the right to equality, the Constitution of India envisaged. The Conference leaders promised regional autonomy for the Jammu Province and the district of Ladakh. The whole strategy was aimed to divide the Jammu province and separate the Muslim majority districts of the province almost on the same pattern on which the Ladakh Division had been divided to separate majority district of Kargil, when the issue of forming a Hill Council had come up for decision.

The National Conference had always taken the position that the Hindu minorities in Jammu and Kashmir would be safe and secure in an autonomous Muslims State of Jammu and Kashmir, but the Muslim of the State would neither be safe nor secure in a secular India nor would the Muslims be safe in the Hindu majority autonomous region of Jammu or the Buddhist majority autonomous region of Ladakh.

The National Conference was returned to the Assembly with a majority. The will of the United Front to transfer power to the Muslims in the State was fulfilled. The Conference, constituted its government in 1996, bringing the Governor's rule, which had been imposed over the State in January 1990 to its end.

The United Front government gloated over its achievement of having succeeded in holding elections in the State, which they stressed was a prelude to the end of the war of attrition in the State. However, Pakistan, as well as the terrorist flanks charged India of having installed a puppet regime to suppress the Muslim struggle in the State. The countries of the Islamic Organisation also denounced the elections.

The Congress and the United Front leaders gave little consideration to the implications of the exclusion of the State from the political organisation of India, at a time when the terrorist violence was raging in the State. Evidently, the militant flanks, operating in the State, would not accept a settlement, which was not acceptable to Pakistan. Even after the United Front Government agreed to delink the State from the Indian constitutional organisation and reorganise it into a separate semi-independent State, essentially Muslim in composition and outlook, the military operations of the militant organisations would not come to an end.

Farooq Abdullah, securely saddled in power announced the appointment of two high-power committees to inquire into the twin issue of (a) the autonomy of the State in its

relations with the Union of India; and (b) autonomy of the sub-regional identities of Jammu and Ladakh. The Conference leadership aimed to create an impression that not the elections, but autonomy factoral to a settlement on Kashmir, a signal, significant enough to attract international attention. Autonomy, the Conference leaders knew, would not be acceptable to the militants and Pakistan, as a basis for a settlement on Kashmir. They, however, visualised that the continued militant violence in Kashmir would eventually involved third power intervention.

The Committee appointed to examine the autonomy of the State was constituted of a number of Cabinet Ministers in the State Government and was headed by Dr. Karan Singh, former Sadar-i-Riyasat of the State, who had played a memorable role during the fateful days, when the Interim Government headed by Sheikh Mohammad Abdullah, was dismissed in 1953. Karan Singh, who had succeeded his father as Maharaja of Kashmir, had been flung into the background, after the Congress leadership in India, had reopened negotiations with Sheikh Mohammad Abdullah, to seek a settlement with him. The Committee for regional autonomy was headed by Balraj Puri, a political activist and a writer of considerable experience.

The Karan Singh Committee was instructed to recommend measure to (a) exclude the State from the constitutional organisation of India and (b) suggest ways and means to render the autonomous status of the State permanent and inviolable. The Committee was asked to make recommendations, which would virtually substitute the transitional and temporary provisions of Article 370, by provisions which were inviolable," impliedly, not subject to change by any constitution amendment undertaken by the Parliament of India.²²

The Conference leaders, sought guarantees,²³ to render the exclusion of the State from the constitutional organisation of

India, made irreversible by an agreement between the State of India and Jammu and Kashmir, which superseded the Article 370. Such an extra-constitutional guarantee, would not be subject to the powers of the Parliament of India to amend the provisions of the Constitution of India, and would thus limit the precept and principle, governing the amendment of the Constitution of India.

Interestingly, the debate was absent among the Muslims, on the issue of autonomy. The Muslims secessionist forces and militant organisations expressed subdued disapproval of the demand for autonomy, reiterating their claim to self-determination. No one, however, not even the extremist flanks, among the Muslim secessionist forces, harboured any doubt about the ultimate advantage, the autonomy of the State, would provide to them.

The Hindus, all over State were, however, alarmed. They denounced the exclusion of the State from the constitutional organisation of India. In an open letter to Dr. Karan Singh, leading and influential Hindus, of Jammu wrote : " We are certain about Dr. Farooq Abdullah's motivation in demanding a semi-independent State of Jammu and Kashmir. And we can state, without fear and contradiction, the APHC and the other contradiction pro-Pakistan and Azadi brand outfits consider this as the first step towards the realisation of the goal. What they have failed to achieve through terrorism, they now hope to gain atleast in stages through the medium of Greater Autonomy. It needs to be pointed out that the Committee you are presiding over is dealing with Centre-State relations as also with constitutional changes. Any recommendations in accordance with the "Terms of Reference" will not only adversely effect National unity and integrity, but also jeopardise the future of generations to come as these are sought to be made "inviolable" as per the terms of reference of the Committee."²³

In its representation submitted to Dr. Karan Singh

Committee, the Committee to Build Response on Autonomy, constituted by the Kashmiri Pandit Global Summit in 1997, stated: "The autonomy of the state, that it has enjoyed so far, is an anti-thesis of the Indian unity. It was a mechanism devised by the National Conference leadership in 1949, to secure a veto on the Instrument of Accession and exclude the State from the territories of India, and finally break it off from the Indian State. The claim to the restoration of 1952, position underlines:

- (i) the revocation of the provisions of the Constitution of India extended to the State after 1954, to secure its re-exclusion from the Constitutional Organisation of India:
- (ii) after the State is excluded from the constitutional organisation of India, use the militant violence to force a settlement on India, in which the Kashmir province, the contiguous Muslim majority regions of the Jammu province and the frontier of Ladakh are delinked from India."²⁴

The Joint Human Right Committee submitted a memorandum to the Karan Singh Committee strongly disapproved of the separation of the State from the secular political organisation of India. "The exclusion of State," the Committee emphasised "from the Indian constitutional organisation, of India on the basis of the Muslim majority character of its population, implies that a Muslim majority State cannot form the part of the secular constitutional organisation of India. The demand for the exclusion of the State from the constitutional organisation of India, on the basis of the Muslim majority of its population, resembles closely the Muslim League demand for Pakistan. The insistence of the Indian Muslims on the partition of India to ensure them the right to reconstitute the Muslim majority provinces in India into a Muslim State. The creation of a separate and autonomous Muslim State of Jammu and Kashmir on the

territories of India, outside its political organisation will straightway lead to the second partition of India."²⁵

Dr. Karan Singh resigned from the Committee in summer 1997.

REFERENCES

1. Mohiudin Shawl; *Kashmir Conspiracy Case*, p. 50. Records of the Plebiscite Front.
2. B.N. Mullick; *My Years with Nehru*; p. 64-67.
3. Jammu and Kashmir Plebiscite Front, *Political Resolution, 1955; Political Resolution 1956*.
4. Mohiudin Shawl, *Kashmir Conspiracy Case*; All Jammu and Kashmir Legal Defence Committee, pp. 50-53.
5. Syed Mir Qasim, *Savani-Hayat*. (vern.)
6. P.N. Bazaz, *Democracy through Intimidation and Terror*, p. 30.
7. *Ibid.*, p. 38, Interview: Maulana Syed Masoodi.
8. *Ibid.*, pp. 68-71.
9. *Ibid.*, p. 70.
10. *Ibid.*, pp. 50-56.
11. *A Solemn Pledge Redeemed*: Pamphlet issued by M.K. Tickoo, Minister for Law and Industries, May 18, 1982.
12. *Ibid.* p. 6.
13. M.K. Teng, *Article 370*, p. 94.
14. Jagmohan, *My Frozen Turbulence*.
15. Joint Human Right Committee, *White Paper*, pp. 46-49.
16. *Ibid.* pp. 37-38.
17. *Ibid.* pp. 36-37.
18. *Ibid.* pp. 46-50.
19. Statement containing the final decision of His Majesty's Government regarding the method of transfer of power, 3 June 1947; Maurice Guyer and A. Appodrai: *Speeches and Documents on Constitution of India*; P. 670; Cabinet Memorandum to the Chamber of Princes.
20. Joint Human Rights Committee; *White Paper*, p. 29-30.
21. Terms of Reference of the Committee.
22. The letter was signed by Seventy-seven prominent citizen's of Jammu.
23. Terms of Reference.
24. Kashmiri Pandit Global Summit Report of the Committee to build responses on Autonomy, 1996.
25. *Ibid.*

Appendices

APPENDIX I

STATEMENTS OF SHEIKH MOHAMMED ABDULLAH 1958 AND 1962

9.1. Statement of Sheikh Mohammed Abdullah after His Release, Issued from New Delhi, February 17, 1958

Since my release after 4-1/2 years' detention, I have tried to explain my viewpoint and possible solution in regard to various problems facing the political future of the State. With sufficient clarity, I hope, I have succeeded in elucidating the following points:-

- (a) So long as final decision about the future disposition of Jammu and Kashmir State is not arrived at, the political uncertainty, economic distress and other mental strain and miseries which the people of the State are facing at present, cannot terminate.
- (b) The existing strained relations between India and Pakistan are not only a source of great danger to the solidarity of Asia, but also contribute to the ruin of the people of the State. The dispute over Kashmir is one of the main contributing factors to these strained relations.
- (c) The ultimate decision with regard to the future affiliation of the State vests with the people and can only be achieved by allowing them to exercise their right of self-determination under impartial international supervision, in accordance with the

universally recognized methods as has been already agreed to by the parties concerned or is otherwise acceptable to all.

I am deeply sorry that in order to befog my views from the public, interested people have resorted, right from 1953, to a campaign of falsehood and every attempt is being made at misrepresentation and distortion. These people wish to keep the Kashmir issue hanging in order to exploit it to serve their own ends in spite of the fact that the progress of their Motherland and international peace and amity insistently demand its immediate solution.

Those who are opposed to a satisfactory final settlement of this problem falsely charged me, five years ago, as having conspired with a foreign power. Now since my release a campaign has been started by these very people to depict me as a communalist for obvious reasons. As the charge of foreign conspiracy could not be substantiated, despite expiry of five years, an attempt is now being made to fabricate the charge of communalism against me so that public opinion in India and elsewhere may be deceived afresh, and the people's feeling and sympathy for me as a victim of persecution may be affected.

Another object seems a futile attempt on the part of these people to intimidate and coerce me into silence. I am conscious of the fact that these people have at their command services of the press, power, money and other resources with the help of which they are able to present falsehood as truth. On the other hand such facilities are denied to me. Even so I have no doubt in any mind that my effort to end this long-standing dispute about Kashmir can have no relation to communalism. This effort, in fact, is a great service to all those who have been facing untold miseries during the last ten years because of this dispute having remained unsolved. Who can deny the reality that failure to end this dispute is not only a source of distress and misery to the Muslims of Jammu and Kashmir

but is a cause of anxiety and uncertainty to the entire population of the State? A solution of this dispute will not only contribute to the Strengthening of peace and security throughout Asia but will heal up a festering sore which has been seeping into the very vitals of India and Pakistan. It is, therefore, for any intelligent man to judge whether it is fair to equate with communalism any endeavour to help solve this dispute. I firmly believe that real secularism is the soul of democracy but I am unable to understand how the demand for the final settlement of the dispute in regard to the accession of the Jammu and Kashmir State in accordance with the wishes of the people does in any way infringe any principle of secularism.

It is not the first time that I am charged with communalism. During the last 27 years a large section of the press in North India often brought such charges against me and every time facts and events proved them false. Many incidents in the Freedom Movement of our State bear witness to the fact that in 1931 this section of the press went so far as to allege that I aspired to be the Sultan of Kashmir and that a crown was ready in the Jamia Masjid, Srinagar, to be placed on any head at the opportune moment. Ultimately however, truth triumphed and the National Movement spread throughout the State. Later, these charges were repeated during the "quit Kashmir Movement". But when the practical test came in 1947, these were proved not only false and malicious but the world also came to appreciate that the attitude taken up by the Muslims of Kashmir in safeguarding life, honour and property of their non-Muslim brethren was unparalleled throughout the sub-continent. Today in 1958, the same disruptive elements are again at their old game, and surprisingly, they include even those whose hands were besmeared, in 1947, with the innocent blood of their neighbours and who celebrated with great joy and distribution of sweets the brutal assassination of Mahatma Gandhi. Nevertheless, I feel sure that even this fresh attempt to malign me will also end in failure and fellow country-men belonging to the minorities will find me, as ever, their best

friend, well-wisher and protector of their legitimate rights. My past record should be a sufficient guarantee for any one to judge my future behaviour. I do not, therefore, wish to waste my time and that of my country men in putting up a defence against these slanderous accusations. When the dust raised by the propaganda of the interested people settles down, my fellow country-men will view me in the light of their past experience of me and events which have now become part of history, and will refuse to fall a prey to such a nefarious propaganda. The real secularism consists in safeguarding the legitimate rights of both the majority communities. Happily the majority community in the State never considered the protection of the minorities as communalism and I hope and trust that the minority communities of this State will similarly not view the protection of the legitimate rights of the majority community as communalism.

I am being accused of break of pledge in support of the accession of the State to India. With all the force at my command, I repudiate this allegation and submit that the responsibility for the breach of the pledges rests elsewhere. A pledge is not a one-sided process; in regard to the accession of Kashmir the Governments of India and Kashmir accepted certain responsibilities and obligations but, unfortunately, the former did not fulfil their share in spite of the best endeavours of the Kashmir Government to persuade them to do so. When the charge of the breach of faith is, therefore, levelled against me, I have a right to pose the question as to where lies the responsibility for not implementing the promises and assurances given by the Government of India to the State of Jammu and Kashmir from the date of tribal raid till my arrest in 1953.

Much propaganda is being made out of the fact that in November 1947, I pledged my support to Pandit Nehru in a mass meeting held at Lal Chowk in Srinagar. But with this, one should not forget what Panditji said a few minutes earlier. Explaining the Government of India policy, he stated that: "It

must be remembered that the struggle in Kashmir is a struggle of the people of Kashmir under popular leadership against the invader. We have come to your help at this critical hour. Our forces are here simply to defend your country against the raiders and as soon as Kashmir is free from the invader, our troops will have no further necessity to remain here and you will be free to determine your future in accordance with your wishes..."

A few days before the Lal Chowk meeting, announcing the Government of India policy, Prime Minister Pandit Jawaharlal Nehru, in his broadcast from New Delhi on the 2nd November, 1947, said: "We are anxious not to finalize anything in a moment of crisis and without the fullest opportunity to be given to the people of Kashmir to have their say. It was for them ultimately to decide: And let me make it clear that it has been our policy all along that where there is a dispute about accession of a State to either Dominion, the accession must be made by the people of that State. It was in accordance with this policy that we have added a proviso to the Instrument of Accession of Kashmir."

When the Constitution of India was finalized, the State of Jammu and Kashmir was given the status of an autonomous State in all matters except (a) Defence, (b) Foreign Affairs and (c) Communications (Section 370 of the Indian Constitution). This was an inviolable pledge.

May I ask, as to where all these promises and assurances stand today and who is responsible for breaking them? My illegal and unconstitutional dismissal from Premiership and my long detention without trial are in themselves the most glaring examples of the value attached to pledges and solemn assurances.

I am also blamed by my detractors as to why I do not consider the decision taken by the Kashmir Consenbly regarding the accession as final. In this connection, the reality

should not be lost sight of that the Government of India themselves have not accepted the decision of the Consenbly regarding accession as final. The late Sir B.N. Rao in the capacity of the leader of the Indian Delegation before the Security Council declared on March 12th, 1951: "My Government's view is that while the Consenbly may, if it desires, express an opinion on this question, it can make no decision on it." And again on 29th March, 1951 he declared that "the Consenbly cannot physically be prevented from expressing its opinion on this question if it so chooses, but this opinion will not bind my Government nor prejudice the position of this Council." Consequently the Security Council passed the following resolution on 30th March, 1951:

"Observing that the Governments of India and Pakistan have accepted the provisions of United Nations Commission for India and Pakistan (UNCIP) resolutions of 13th August, 1948, and 5th January, 1949, and have reaffirmed their desire that the future of the State of Jammu and Kashmir shall be decide through the democratic method of a free and impartial plebiscite conducted under the auspices of United Nations; "Observing that on 27th October, 1950, the General Council of the All Jammu and Kashmir National Conference adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the future shape and affiliations of the State of Jammu and Kashmir; observing further from statements of responsible authorities that action is proposed to convene such a Constituent Assembly and that the area from which such a Constituent Assembly would be elected is only a part of the whole territory of Jammu and Kashmir; Reminding the Governments and Authorities concerned of the principle in the Security Council resolutions of 21 April 1948, June 1948 and 14 March 1950 and the United Nations

Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations;

"Affirming that the convening of a Constituent Assembly as recommended by the General Council of the All Jammu and Kashmir National Conference, and any action that Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, would not constitute a disposition of the State in accordance with the above principle."

Pandit Jawaharlal Nehru, while answering a question on the subject in the Indian parliament in 1955, declared the decision of the Constituent Assembly regarding the accession as unilateral and, therefore, of no consequence to resolve this international dispute on Kashmir. The decision of this Assembly cannot, moreover, be viewed in isolation and out of context of historical events that followed. The question is not about the decision but as to what were the means by which it was secured. A period of five years elapsed between the date of convening of the Consembly and taking a final decision on the accession issue. The Consembly which enjoyed popular support in 1951 on this side of the "Cease-fire Line" forfeited the confidence due to the events that took place on 9th August, 1953, and thereafter. The front rank members of the body were put in prison and debarred from participating in the proceedings of the House. Those who were not in prison were forced into submission by threats of persecution and imprisonment and irresistible temptations were thrown in their way. Consequently, the masses lost faith in them as there was no contact between those members and their constituents. The fact cannot be ignored that before the

Constitution was finalised, the Leader of the House was arrested under a deeply-laid conspiracy and when the masses protested against this illegal and unconstitutional act, a reign of terror was let loose and hundreds of men, women and children were shot down in cold blood and this continued for months together. A period of four years was spent in making the members of the Assembly to toe the line of the *coup* staggers. Such of the members as did not submit were kept in jail and the Constitution declared passed.

Even though in detention, yet led by national interests, from time to time I tried to warn all concerned against the dangerous consequences of allowing the Constituent Assembly to be used for group conflicts of the National Conference. In telegram on 30th September, 1951, I asked the President of the Constituent Assembly to allow me to be heard by the Assembly before the "vote of confidence" in *coup* staggers was considered. Then again when the Constitution was going to be finalised, on 16th August, 1956 I wrote to him saying:

"By 9th August action as well as by the long record of black deeds in and outside the House, the present Government and the Assembly have completely forfeited the confidence of the electorate and they no longer represent the political and economic aspiration of the people. It will be the height of treachery if such a body sits to frame a fundamental law for the people and their future generations. Nothing can be worse betrayal of their aspirations. I feel, therefore, duty-bound to ask you to desist from such a course of action...."

In view of these circumstances, I fail to understand why and how my refusal to accent these decisions of the Consembly could be taken as reasonable.

One of the most important objects underlying the entire political movement in the State has remained to secure the right of self-determination for the people of the State. Expression of the will of the people through a plebiscite is the one formula

which has been agreed upon by the parties concerned and in a mass of disagreements about details, this common denominator has held the field so far. The Security Council, also, has held that a plebiscite, conducted in a fair and free atmosphere under its own auspices, is a just solution of the problem consistent with the provisions of the United Nations Charter. This commitment has repeatedly been reaffirmed by the parties concerned.

The people of the State consider the formula of plebiscite as a clear interpretation of their long cherished aspirations and as a lasting solution of the complicated problem which is facing them since 1947. Their political outlook is the product of the last 27 years' struggle whose sheet-anchor has ever remained the conviction that "sovereignty vests with the people". A State which was sold away for a cash consideration and remained in slavish subjugation for a century, naturally gave this demand the foremost importance and made the right of self-democratic set-up as its cardinal creed.

The Indian National Congress has throughout raised its voice in support of our demand and it was on the basis of this principle that the leaders of the Congress, in general, and Pandit Nehru in particular, extended cooperation and help to the Freedom Struggle of the State from its very inception. I may refer in this connection to the resolutions passed and the speeches delivered at the Annual Session of the All Jammu and Kashmir National Conference held at Sopore in 1945, in which Pandit Jawaharlal Nehru, Maulana Azad, Khan Abdul Ghaffar Khan, Khan Abdul Samed Khan and other top-ranking Congress leaders participated. In this session the people's demand for the right of self-determination formed the central theme of the resolutions passed.

The Congress leaders not only supported, all along, our demand for the right of self-determination, but also helped in organizing me in the "Quit Kashmir Case". Pandit Jawaharlal

Nehru did not only court arrest as a mark of his support to our struggle, but went to the extent of appearing as my council in the case, in collaboration with the late Mr. Asaf Ali and others. Subsequently, when the sub-continent was partitioned and the tribal raid took place, it was again in defence of this very right of self-determination that Government of India agreed to send its armed forces to Kashmir. Simultaneously, Government of India while accepting the Instrument of Accession signed by Maharaja Hari Singh on 26th October, 1947, laid down the condition that the accession was subject to ratification by the people.

Then came a period when Governments of India and Pakistan tried to solve the Kashmir dispute by direct negotiations. In May, 1953 we in "National Conference were asked to weigh and suggest the various alternate proposals for the solution. On 9th June the following unanimous decision was taken by a High Level Committee of the National Conference and Communicated to Panditji:

"As a result of discussion held in the course of various meetings, the following proposals only emerge as possible alternatives for an honourable and peaceful solution of the Kashmir dispute between India and Pakistan:

- (a) Overall plebiscite with conditions as detailed in the minutes of the meeting dated 4th June 1953;
- (b) Independence of the whole State;
- (c) Independence of the whole State with joint control of foreign affairs and defence; and
- (d) Dixon plan with independence for the plebiscite area.

"Bakhshi (Ghulam Mohammed) Sahib was emphatically of the opinion that the proposal (d) above should be put up as first and the only practicable, advantageous and honourable

solution of the dispute. Maulana Sayeed, however, opined, that the order of preference as given above should be adhered to."

Unfortunately, the authorities at the helm of affairs could not appreciate the value of this and no further progress took place. In the meantime, events took an ugly turn and 9th August *Coup* was staged, story of which need not be related here:

It was as late as August, 1953, after my detention, that the two prime Ministers of India and Pakistan, after deliberating for a number of days in Delhi as to how-best to resolve this dispute, reiterated in a joint communique their "firm opinion that this (Kashmir Question) should be settled in accordance with the wishes of the people of that State.... The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite."

Bakhshi Ghulam Mohammed, as Prime Minister of the State, in a press statement issued by him on 21st August, 1953, declared: "I welcome the declaration of the two Prime Ministers in regard to the future disposition of the State of Jammu and Kashmir on the basis of the principle of self-determination. This declaration was finalised on behalf of the Government of India with our concurrence and has our unqualified support." The holding of a plebiscite is thus a solution which is not only consistent with the objectives of the Freedom Struggle of Kashmir and the Independence Movement of the Indian people but is one to which all concerned with the dispute have unequivocally committed themselves, time and again.

APPENDIX II

KASHMIR ACCORD (FEBRUARY 1975)

Agreed conclusions which led to Sheikh Mohammad Abdullah's accord with Mrs. Indira Gandhi, Prime Minister, and his subsequent assumption of office as Chief Minister in February 1975

1. The State of Jammu and Kashmir which is a constituent unit of the Union of India, shall, in its relation with the Union, continue to be governed by Article 370 of the Constitution of India.
2. The residuary powers of legislation shall remain with the State; however, Parliament will continue to have power to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of India or bringing about cession of a part of the territory of India or secession of a part of the territory of India from the Union or causing insult to the Indian National Flag, the Indian National Anthem and the Constitution.
3. Where any provision of the Constitution of India had been applied to the State of Jammu and Kashmir with adaptations and modifications, such adaptations and modifications can be altered or repealed by an order of the President under Article 370, each individual proposal in this behalf being considered on its merits; but provisions of the Constitution of India already applied to the State of Jammu and Kashmir without adaptation or modification are unalterable.
4. With a view to assuring freedom to the State of Jammu and Kashmir to have its own legislation on matters like welfare measures, cultural matters, social security, personal law and procedural laws, in a manner suited to the special conditions in the State, it is agreed that the State Government can review the laws made by Parliament or extended to the State after

1953 on any matter relating to the Concurrent List and may decide which of them, in its opinion, needs amendment or repeal. Thereafter, appropriate steps may be taken under Article 254 of the Constitution of India. The grant of President's assent to such legislation would be sympathetically considered. The same approach would be adopted in regard to laws to be made by Parliament in future under the Proviso to clause 2 of the Article. The State Government shall be consulted regarding the application of any such law to the State and the views of the State Government shall receive the fullest consideration.

5. As an arrangement reciprocal to what has been provided under Article 368, a suitable modification of that Article as applied to the State should be made by Presidential order to the effect that no law made by the Legislature of the State of Jammu and Kashmir, seeking to make any change in or in the effect of any provision of Constitution of the State of Jammu and Kashmir relating to any of the undermentioned matters, shall take effect unless the Bill, having been reserved for the consideration of the President, receives his assent; the matters are:

- (a) the appointment, powers, functions, duties, privileges and immunities of the Governor, and
- (b) the following matters relating to Elections namely, the superintendence, direction and control of elections by the Election Commission of India, eligibility for inclusion in the electoral rolls without discrimination, adult suffrage and composition of the Legislative Council, being matters specified in sections 138, 139, 140 and 50 of the Constitution of the State of Jammu and Kashmir.

6. No agreement was possible on the question of nomenclature of the Governor and the Chief Minister and the matter is therefore, remitted to the Principals.

Mirza Mohammad Afzal Beg
New Delhi, November 13, 1974

G. Parthasarathi

7. As an arrangement reciprocal to what has been provided Article 368, a suitable modification of that Article as applied to the State should be made by Presidential Order to the effect that no law made by the Legislature of the State of Jammu and Kashmir, seeking to make any change in or in the effect of any provision of the Constitution of the State of Jammu and Kashmir relating to any of the undermentioned matters shall take effect unless the Bill, having been reserved for the consideration of the President, receives his assent; the matters are:

- (a) the appointment, powers, functions, duties, privileges and immunities of the Governor; and
- (b) the following matters relating to election by the Election Commission of India, eligibility for inclusion in the electoral rolls without discrimination, adult suffrage, and composition of the Legislative Council, being matters specified in Section 138, 139, 140 and 50 of the Constitution of the State of Jammu and Kashmir.

8. No agreement was possible on the question of nomenclature of the Governor and Chief Minister and matter is therefore, remitted to the Principals.

Mirza Mohammad Afzal Beg
New Delhi,
Dated Nov. 13, 1974

G. Parthasarathi

Copy of a letter of Sheikh Mohd. Abdullah to the Prime Minister.

3. Kotla Lane,
New Delhi,

Dated: 11-2-1975

My dear Prime Minister,

I have seen the text of the conclusions reached between Shri G. Parthasarathi and Mirza Mohammad Afzal Beg on the various constitutional issues concerning the Centre-State relationship between the State of J and K and the Union of India. I have studied the document and have also had discussions with you. As you are aware, it is my view that the constitutional relationship between the Centre and the State of J and K should be what it was in 1953. Nevertheless, I am happy to say that the Agreed Conclusions provide of good basis of my co-operation at the political level and for Centre-State relationship.

I appreciate that the main purpose of the dialogue was to remove misapprehension on either side to ensure that the bond between the Union and the State is further strengthened and to afford to the people of the State full scope for understanding social welfare and development measures.

The accession of the State of J and K to India is not a matter in issue. It has been my firm belief future of J and K lies with India because of the common ideals that we share. I hope you would appreciate that the sole reason for my agreeing to co-operate at the political and governmental levels is to enable the State Government to initiate for the well-being of the people of the State which I have always considered as my sacred trust. It will be my constant endeavour to ensure that the State of J and K continues to make its contribution to the sovereignty, integrity and progress of the Nation. By the same token, I am sure that the Central Government would cooperate with the State Government fully in respect of measures to be undertaken by the State Government to further the progress

and welfare of the people of the State as an integral part of India.

The country is passing through a critical period and it is all the more necessary for all of us who cherish the ideals of democracy, secularism and socialism, to strengthen your hands as the leader of the Nation and it is in this spirit that I am offering my whole-hearted co-operation.

Yours sincerely,
Sd/-
(S.M. Abdullah)

Shrimati Indira Gandhi,
Prime Minister of India,
New Delhi.

* * * *

Copy of the Prime Minister's letter to Sheikh Mohammad Abdullah.

New Delhi,
February 12, 1975.

Dear Sheikh Saheb,

I am happy to receive your letter expressing your concurrence with the conclusions reached between Mirza Mohammad Afzal Beg and Shri G. Parthasarathi, on certain constitutional aspects of the relationship of the Centre with the State of Jammu and Kashmir and offering your wholehearted co-operation at the political and governmental level to further promote the well-being of the people of the State of J and K. I am aware of your views of Centre-State relationship in respect of the State of J and K. I have already explained to you that the clock cannot be put back and we have to take note of the realities of the situation. I am appreciative of the spirit in which you have expressed your agreement with the terms of the Agreed Conclusions.

The Agreed Conclusions have been examined and I am in a position to inform you that such appropriate executive action may be necessary to give effect to them will be taken. I have been in close touch with the Chief Minister of the State who is in agreement with the approach in regard to political co-operation with you and the understanding reached about the relationship of the State with the Union.

The Central Government would undoubtedly continue to co-operate with the State Government fully in respect of measures to be undertaken by the State Government to further the progress and welfare of the people of the State, which is of equal concern to the Central Government.

As pointed out by you, the country is passing through a critical period and it is a matter of great satisfaction to me that a person of your stature who made an outstanding contribution during the freedom struggle should come forward again and co-operate in the task of strengthening the national and sustaining the ideals.

Yours sincerely,

Sd/-

(Indira Gandhi)

Sheikh Mohd. Abdullah,
3, Kotla Lane,
New Delhi.

* * * *

Copies of Collateral Letters

November 13, 1974.

Dear Shri Parthasarthi,

In the course of our discussion, I made a proposal that appeals to the Supreme Court under Article 132 of the Constitution of India from the decision of the High Court of Jammu and Kashmir, should lie only on a certificate under

clause (1) of that Article. After a detailed discussion on this, you had agreed to the proposal and stated that it can be implemented by order under Article 370 making suitable modification or the modifications made under Article 367.

Kindly acknowledge receipt of this letter.

Yours sincerely,

Sd/-

(Mirza Mohammad Afzal)

Shri G. Parthasarthi,
31, Aurangzeb Road,
New Delhi.

Dear Beg Saheb,

I acknowledge receipt of your letter dated the 13th November, 1974. The proposal referred to therein was discussed between us at length and agreed to by me. It can be implemented by an appropriate Order of the President in accordance with the procedure prescribed under Article 370.

Yours sincerely,

Sd/-

(G. Parthasarthi)

Mirza Mohammad Afzal Beg,
Camp: New Delhi.

APPENDIX III

**Solemn Pledge to the People of Jammu and Kashmir
Liberation Front 1979-80 Convention, Muzaffarabad,
Azad Kashmir**

1. Military Objectives of the Jammu and Kashmir Liberation Front:

- (a) Raising of the liberation army of the Muslims to launch the armed struggle for the liberation of Kashmir from the Indian occupation;
- (b) Training of Muslim youth and students in Azad Kashmir and Pakistan and procuring of arms for the liberation army;
- (c) Preparation of the Muslim youth and students in Kashmir occupied by India, for their participation in the armed struggle against Indian imperialism, imparting military training to them, providing arms to them and establishing a unified command to lead the armed struggle;
- (d) Drawing up a strategy to establish necessary communication network in the occupied Kashmir;
- (e) Organising the forces, which are at present fighting for the liberation of Kashmir into a united front to ensure the participation of Muslim masses in the armed struggle;
- (f) Building military pressure on Indian defence forces in order to force the Government of India to implement the resolution of the United Nations and ensure the realisation of the dream of the Muslims in Kashmir to decide their own destiny.

2. Political Objectives of the Jammu and Kashmir Liberation Front

India grabbed Kashmir by fraud and force in 1947, when the sons of the soil and the followers of religious injunction rose in revolt against the rapacious and oppressive rule of the

Hindu ruler, who was conspiring with the Hindu communalists to accede to India against the wishes of the predominant Muslim majority population of the State. The Riyasat of Jammu and Kashmir is geographically a part of Pakistan, its rivers flow into this land of the pious and its people are an inseparable part of the Muslim nation of Pakistan. Kashmir is a Muslim State and the aspirations of the Muslims are linked with the attainment of Nizam-i-Mustafa (Islamic Governance) in its length and breadth so that the Muslims live in peace and brotherhood under the canopy of Islam. We are committed to the ideology of Islam. Our aim is the realisation of Islamic way of life. We do not contribute to any other ideology. The goal to be achieved is:

- (a) Unification of the two parts of Kashmir, by demolishing the artificial dividing line created by the presence of the armies of Indian occupation;
- (b) Self-determination for the people to decide the future of the State.

APPENDIX IV

Hizib-ul-Islam (Hand out) 1990*

Islam is our aim; Quran is our constitution. Jihad is our path; war till victory. God is great—the war cry of Hizib is, Allah a-Akbar; the cry of Hizib-ul-Islam, take heed India.

1. Muslim brotherhood in Kashmir has risen in arms against the usurpers of its freedom, which has been snatched in 1947, and ever since. The Muslims have now taken to arms to free themselves from slavery, Muslim youth in the cities and towns and in the villages are to receive training in the use of arms to engage the Indian security forces.
2. There is no going back after the armed struggle begins. The Jihad is invincible. We demand our right to freedom, which has been recognised by the United Nations Organisation in 1947, and the British Government, which ruled India then.
3. An all round attack has to be launched on the State administration which has run the Indian colonial administrative machine in the State, the Indian security forces, at whose hands thousands of Mujahids have attained martyrdom and the enemies of the freedom of the Muslim brotherhood in Kashmir.
4. Muslim brotherhood of Kashmir is an integral part of the Umat-e-Islami, the Muslim nation of the world, which can no more be divided by any boundaries. There is no boundary between Kashmir and the Muslim Commonwealth of Pakistan, except that imposed by Indian imposters which at present divides the Muslims of Kashmir.
5. Traitors to the cause of Islam will alone shirk the responsibility to serve the cause of Islam and they

will receive the punishment that they ought to be given. All servants of Allah are enjoined to do whatever is in their power to wreck the government from inside and outside, harass, demoralise and destroy Indian security personnel, eliminate the enemies of the revolution, propagate Muslim law and Muslim code of life, which is supreme law in Kashmir and participate in mass resistance to Indian oppression.

The community of Pandits, in Kashmir, which has in it the treacherous agents of India, has no option other than submit to the law of Islam as the supreme law of Islam in Kashmir or leave Kashmir.

6. Our Youth is prepared to fight the Indian military with the support of the great Islamic Mujahidin of Palestine and Afghanistan, they will achieve victory and liberate the Muslims here from the clutches of an oppressive and crafty user. Muslims have always fought for freedom and won it.

Jihad is victorious

*Translated from Urdu.

APPENDIX V

Accession on Trial*

O, the Community, Quam of the Muslims of Kashmir, for how long more you will live the life of subservant slaves. The massive cinema houses and places of enjoyment where nude women perform dances, the wine-shops, which are open in every street, the public places where pleasures of a perverted society are available and where men and women reveal in det. uchery, the colleges and schools; every thing reflects the degradation into which your culture is being pushed.

Now who have reduced your civilisation to dust, polluted the soil of your youth? Who have dug the roots of yours religion?

How long, will you, O Muslims allow yourself to be put to slumber on false hopes and promises. How long will you submit to be used for the satisfaction of personal and selfishends of power-brokers?

Do you want to wait and see your mosques being converted into public places, as it happened in Afghanistan for the infidels to use them? You know, so well; who your enemies are; who have enslaved you for years; who have snatched away your freedom and your land. You know, who want to destroy your culture, who want to grab your country and who want to destroy your faith.

Your enemies, who have robbed your freedom, are bent upon to destroy your identity and faith. They are, now, arranged massively against you with their army and weaponry. If you do not take the warning, you must realise that the history of Muradabad will be re-enacted here in your land. Like the land of Bhiwande, Chaibasa, Aligarh, Hyderabad, Jabalpur and Assam, your nativelyland will also be dyed with your

*Mukadima-Ilhaq-Translated from Urdu

blood. You are fighting an imperial power which, with its Brahmanic outlook is creating troubles for you every day.

If you do not realise your plight.

People responsible for having perpetuated oppression and cruelty on the Muslims should die in two days.

A programme of Hindu-Muslims has been that in a meeting of the Area Committee, held previously, a decision was taken to give an ultimatum to the Kashmiri Pandits to leave Kashmir in two days. The ultimatum said that all Pandits of Jammu and Kashmir should leave their area in two days. According to the spokesman behind the ultimatum and publication to the Muslims, Pandits have a head. He said that all the Pandits have because the instruments of Indian imperialism. He said that Pandits have received training in arms outside the valley and have drawn up plans to launch disturbances of a serious nature. He said that the Area Committee had told the Pandits to leave a head in the month of March/April as well as the state on their quarters. The spokesman said that the ultimatum of the ultimatum is unalterable by them.

Spoken broadcast to the public Address, system of the
Hindustan in Chandigarh

12-13 January 1960

(Delivered)

The aim of the book is to show that it is supported by Almighty
on all followers of Islam to participate in the jihad. The

APPENDIX VI
Hizib-ul-Mujahidin

Ultimatum to Kashmiri Pandits to leave Kashmir in two days. Published in Al-safa April 14, 1990.

(1)

Pandits, responsible for having perpetrated oppression and atrocity on the Muslims should quit in two days.

A spokesman of Hizib-ul-Mujahidin has stated that in a meeting of its Area Commanders, held yesterday, a decision was taken to give an ultimatum to the Kashmiri Pandits to leave Kashmir in two days. The spokesman said that all Pandits of Jammu and Kashmir should leave from here in two days. According to the spokesman behind the oppression and persecution of the Muslims. Pandits have a hand. He said that all the Pandits have become the instruments of Indian imperialism. He said that Pandits have received training in a arms outside the valley and have drawn up plans to foment disturbances of a serious nature. He said that the Area Commanders feel that the Pandits have a hand in the recent arrest of Mujahidin as well as the raids on their quarters. The spokesman said that the oppression against the Muslims is unleashed by them.

(2)

Sermon broadcast on the public Address* system of the Mosques in Srinagar

27-28 January 1990

(Extracts)

The aim of the Jihad is Azadi and it is enjoined by Almighty on all followers of Tauheed to participate in the Jihad. The

*Translated from Urdu.

crusade is for the establishment of Kashmir into an Islamic society. The heretics can only live in Islamic society if they accept the Islamic laws. The non-Muslims, have always helped the users from outside to enslave the Muslim masses in Kashmir. For them, therefore, the only way is to quit this "pak sarzameen", the sacred land.

APPENDIX VII

Political Fall Out

Many motives prompted the National Conference to exclude the State from the constitutional organisation of India:

- (i) Since the execution of the Instrument of Accession by Maharaja Hari Singh, which the Conference leaders called "Paper Accession", was subjected to a plebiscite, the Muslims in Jammu and Kashmir believed that they had assumed a veto over the accession of the State to India. To retain the Muslims, the right to veto on the accession of the State, the Conference leaders opposed any constitutional postulates and agreements with India, which tantamount to the substitution of the Instrument of Accession, or alter its consequences.
- (ii) Later events proved that the Conference leaders were inclined to ensure a placement of equidistance for the Jammu and Kashmir from India and Pakistan. The Conference leaders planned to consolidate the State into a separate political organisation, which could, at an appropriate time be projected as an alternative to the accession of the State to either of the two States, India and Pakistan.
- (iii) Another consideration the Conference leaders had, to oppose the inclusion of the State into the constitutional organisation of India, was to evade the secular integration of the people of the State into the Union of India, on the basis of the right to equality, right to protection against discrimination on the basis of religion and right to freedom of faith, propagation of faith and right to safeguard as a religious minority. The Conference leaders disapproved of all forms of safeguards which the provisions of the Constitution of India envisaged

in respect of fundamental rights, on the ostensible pretext that such safeguards would frustrate the resolve of the Interim Government to undertake economic, political and social reforms in the State. The real motivation, however, was that the right to equality, right to protection against discrimination on the basis of religion right of freedom of faith, right to property and other constitutional safeguards enshrined by the Constitution of India conflicted with the Muslimisation of the State. In fact, the Interim Government vigorously enforced the communal precedence of the Muslim majority in the government and administration of the State, its economic organisation and its society.

The exclusion of the State from the constitutional organisation of India had disastrous consequences:

- (i) The National Conference endeavour to retain the Muslim a veto on the accession of the State, by limiting constitutional relations between the state and India to the Instrument of Accession virtually repudiated the act of accession, Hari Singh had accomplished;
- (ii) The exclusion of the State from the Indian constitutional organisation, on the basis of the Muslim majority character of its population, coincided with the ideological propositions which formed the basis of the League's claim to Pakistan.
- (iii) The Hindus, among them particularly the Hindus in Kashmir, the Buddhists and the Sikhs were exposed to political oppression economic deprivation and social aggrandisement in the absence of legal safeguards, which followed from the enforcement of Muslim precedence in the government, economic organisation and the society of the State. They were reduced to a state of servitude

in a Muslim State.

- (iv) Arbitrary exercise of State power, in the name of Islamisation, undermined the political responsibility, representative institutions and liberalisation of society in the State to the detriment and disadvantage of all people.

The cumulative effect of the insulation of the State began to be felt sooner than expected. Article 370, led to the creation of the following consequences:

- (i) the secessionist forces, operating in the State from the time of the accession of the State of India, supported by Pakistan, joined the National Conference in its endeavour to retain the Muslims the veto on the accession of the Jammu and Kashmir, which in due course of time led to the emergence of a new Muslim movement, committed to a plebiscite;
- (ii) the Hindu reaction against the exclusion of the State from the constitutional organisation of India, unfolded into an open agitation for the integration of the State with the secular political organisation of India.
- (iii) the stagnation of the economy of the State led to a serious economic and financial crisis in the State. Indian investment in the State was barred by the Interim Government. Investment from countries outside India was expected to be made available only after the opinion of self-determination was exercised by the people of the State. The economic organisation of the State, hardly in a position to sustain its people, crumbled rapidly.

The decision of the Interim Government of the State to end the Dogra rule and replace the Ruler by a Chief Executive, presumably elected by the Muslim majority of the state, created

a sharp reaction both inside and outside the State. The Hindus and the other minorities in the State accused the national Conference of abolishing the office of the Ruler, to install a protegee on the Conference in his place to fortify the separate identity of the State. The Government of India, which had allowed the exclusion of the State as a transitional measure, due to the reluctance of the Conference leaders, who had sought to use the United Nation to their advantage, had by now realised the inherent dangers in the exclusion of the State from the constitutional organisation of India. Infact, the Government of India, promptly informed the Conference leaders, that any changes in the existing constitutional organisation of the State, mainly the abolition of the dynastic rule of the Dogras, needed to be placed in the context of an overall change in the transitional provisions of Article 370 in order that the changes in the constitutional organisation of the State did not conflict with the Constitution of India. Evidently, the Government of India expressed its preference for the inclusion of the State in the broad structure of the State before any changes were envisaged in the constitutional organisation of the State.

The Conference leaders, who had now assumed the position that the special constitutional provisions embodied in Article 370, were subject to the final decision of the Constituent Assembly, were surreptitiously preparing to use the constituent Assembly of the State to freeze the provisions of Article 370, and ensure the exclusion of State from the constitutional organisation of India, on more or less, a permanent basis. Perhaps, the removal of Hari Singh from the office of the Ruler of the State was aimed to get rid of the last instrument the Government of India would use to arrive at a fresh settlement on the constitutional relations between the State and the Union.

The National Conference leaders, had a high power meeting with Nehru and his colleagues, including Ayangar and Azad. Sheikh Mohammad Abdullah, joined by Beg,

Shahmiri, the Constitutional Advisor to the Constituent Assembly, besides Mir Qasim, constituted the Conference delegation.

The Indian leaders agreed to the changes in the constitutional organisation of the State, proposed by the National Conference, and accepted to allow the State exercise a wider residuary powers, but they proposed that, the exclusion of the State from the Indian constitutional organisation would have to be ended and the State integrated in the Republic of India in respect of territories, citizenship, fundamental rights and related safeguards, jurisdiction of the Supreme Court, emergencies arising out of war and the division of financial powers. The Conference leaders, though strongly opposed to the extension of any provisions of the Constitution of India to the State, were finally persuaded to accept a partial application of the provisions of the Constitution of India to the State in respect of citizenship, fundamental rights, original jurisdiction of the Supreme Court and the emergencies arising out of war and aggression. An understanding was reached between the two sides that the constitutional reforms in constitutional organisation of the State and the changes in the constitutional relations between the State and the Union, would be undertaken by the Constituent Assembly simultaneously, the agreement later came to be called the Delhi Agreement.

After the Conference leaders returned to Srinagar, they resiled from the agreement arrived at, in Delhi. In November 1952, a formal proposal to abolish the Dogra rule was moved in the Constituent Assembly. The office of the Ruler was abolished and replaced by the office of a Head of the State, who was elected by the Constituent Assembly, subject to the confirmation of the President of India for a fixed tenure. The Conference leaders elected Yuvraj Karan Singh the Head of the State. Thereafter, the Interim Government initiated no moves to bring about the changes in the constitutional relations between the State and the Union, as agreed upon in Delhi.

The Delhi Conference and the consequent agreement, was used as a ruse by the Conference leaders to eliminate Hari Singh. The contention of the Government of India that the provisions envisaged by Article 370 were transitional and temporary and deserved to be modified in view of the necessity to include the State in the Indian constitutional organisation, evoked severe opposition from the Interim Government. The events which followed are a part of history. In August 1953, the Interim Government headed by Sheikh Mohammad Abdullah was dismissed and replaced by a second Interim Government, headed by Bakshi Gulam Mohamad.

After the change over in the State Government, fresh discussions were held between the representatives of the second Interim Government and the Government of India. It was agreed upon that the provisions of the Constitution of India would apply to the State in respect of the territory of the Indian Union, citizenship, fundamental rights and the original jurisdiction of the Supreme Court, the emergencies arising out of war and aggression. Consequently a proclamation of the President was issued on 14 May 1954, which extended the application of the provisions of the Constitution of India, with several exceptions and reservations to the State. In the years, which followed the application of the provisions of the Constitution of India in respect of elections, audits, financial and administrative relations, emergencies arising out of constitutional breakdown and powers of the Supreme court, were extended to the State with crippling reservations.

The reservations and exceptions to the application of the provisions of the Constitution of India to the State were so devised as to ensure the Interim Government as well as the successive State Governments the authority:

- (i) to perpetuate the separate political identity of the State on the basis of its Muslim majority character of its population;

- (ii) to Muslimise the Government and society of the State;
- (iii) to enforce communal precedence of the Muslim majority in the administration of the State, its economic organisation and its social and cultural institutions in order to subordinate the Hindus and the other minorities to the slavery of a Muslim State.

During the years that followed, the insulation of the State into a separate Muslim identity, the Muslimisation of its government, economic organisation and the enforcement of the communal precedence of the Muslim majority in the society of the state, led to the consolidation of the secessionist forces. The militarisation of Islamic fundamentalism in the aftermath of Pakistan's intervention in Afghanistan, found its support basis in the Muslimised government, society and economic organisation of the State.

It is in fact the so-called autonomy of the State, which was used as a cover to Muslimise its government and economic organisation and fundamentalise its social culture, eliminate the Hindus and other minorities, obliterate their past and history, which formed the foreground of the militant violence which broke out in 1989-90. It is not the erosion of autonomy which consolidated the separatist, communal and secessionist forces in the State. All such insinuations are a misreading of history and part of the disinformation campaign to camouflage, the real character of Muslim communalism and separatism in the State.

The Committee submits that:

- (i) the separate political identity of the State based upon the Muslim majority character of its population contravenes the basis structure of the Constitution of India, which does not accept religious majority as a basis of political organisation.

- (ii) Muslimisation of the government and society of Jammu and Kashmir is a negation of Indian secularism;
- (iii) the enforcement of Muslim precedence in the administration, economic organisation, society and culture of the State, as a part the process of its autonomy is a violation of the basis fundamental rights the Constitution of India postulates.

The autonomy of the State, that it has enjoyed so far is an anti-thesis of Indian unity. It was a mechanism devised by the National Conference leadership in 1949, to secure a veto on the Instrument of Accession, and exclude the State from the territories of India and finally break it off from the Indian State. The claim to the restoration of 1952 position, underlines.

- (i) the revocation of the provisions of the Constitution of India extended to the State after 1954, to secure its re-exclusion from the constitutional organisation of India;
- (ii) after the State is excluded from the Constitutional organisation of India, use the militant violence to force a settlement on India, in which the Kashmir province, the contiguous Muslim majority regions of the Jammu province and the frontier of Ladakh are delinked from India.

The constitutional provisions envisaged by Article 370 are transitory provisions, and Ayyangar assured the Constituent Assembly of India that in view of the invasion of the State, occupation of a part of its territories by Pakistan and the United Nations' intervention, the State was excluded from the Indian constitutional organisation. He assured the members that the Constitution of India would be made applicable to the State, integrating it into the Indian Republic. The framers of Article 370, did not and could not have visualised a perpetual Constituent Assembly.

The operation of the provisions of the Constitution of India, applicable to the State by the various Presidential orders including the Presidential Order of 1950, can be revoked by a Presidential order under section (d) of Article 370, as the provision of the sub-clause of clause(I), empowers the President to order the application of other provisions of the Constitution of India, which evidently is in consonance with the intentions of fathers of Indian constitution to integrate the Jammu and Kashmir State into the Indian Republic at an appropriate time.

Sub-clause(d) of clause(I) of Article 370, it must be noted, empowers the President to widen the application of Constitution of India to the State to integrate it in the Republic of India. The President can impose restrictions only on such provisions which he extends to the State by an order with the concurrence of the State. He cannot impose any restrictions on the provisions which are already applicable to the State, that is the spirit of clause(d) of Article 370 and no President of India will dare, transgress the constitutional limits, which his powers are subject to.

In its spirit and substance, clause(2) of Article 370 also reflects the intentions of the founding fathers of the Indian Constitution that the framers of the Indian Constitution, vested the President of India with the powers to order the revocation of the operation of Article 370 on the recommendations of the constituent Assembly of the State, strengthens the conviction that the founding fathers vested the powers conjointly with the President and the Constituent Assembly of the State to set aside the operation of Article 370 to further integrate the State in the constitutional organisation of India. The powers of the President to order that Article 370 shall be operative only with such exceptions and modification from such date as he may specify, forms as part the substantive content of the whole clause(3). In this regard too, the intentions of the founding fathers of the Indian Constitution, are manifestly evident.

It must also be noted that the founding fathers of the Indian Constitution laid down provisions, which were intended to bring to an end the operation of Article 370, or modify its operation, in order to revoke the limitations it imposed on the application of the constitution of India to the State or modify them to allow a wider flow of the Indian Constitution to the Jammu and Kashmir State. Article 370, it noted, was not intended to insulate the State from the Constitution of India permanently and the provisions of clause(3) were specifically included to widen the applicability of the Constitution of India to the State, not to limit or restrict it. The clause(3) could not have been intended to provide for restricting the operation of the application of the Constitution of India to the State, because, when the Article 370 was framed, no provision except of Schedule-VII, corresponding to the delegation of powers stipulated by the Instrument of Accession and Schedule-I, defining the territories of India were applicable to the State. Clause(3) could not have been intended to vest powers with the President to revoke the operation of Schedule-I and Schedule-VII, to exclude the State from the territories of India and the reversion of the delegation of powers to Union Government in respect of defence, communications and foreign affairs.

Clause(3) of Article 370, cannot be used against the intended motive of the Constituent Assembly. Gopaldaswami Ayangar clarified the intention of the framers of the Constitution of India, behind Clause(3) of Article 370:

“The last clause refers to what may happen later on. We have said article 211—A will not apply to Jammu and Kashmir State. But that cannot be a permanent feature of the Constitution of the State, and hope it will not be. So the provision is made that when the Constituent Assembly has met and taken a decision both on the Constitution for the State and on the range of federal jurisdiction over the State, the President may on the recommendations of the Constituent Assembly issue an order that this Article 306(A) shall either cease to be operative

or shall be operative only subject to such exceptions and modifications as may be specified by him. But before he issues any order of that kind the recommendations of the Constituent Assembly will be a condition precedent. That explains the whole of this Article.

The effect of this Article is that Jammu and Kashmir State, which is now a part of India, will continue to be a part of India, will be a unit of future federal republic of India and the Union legislature will get jurisdiction to enact laws on matters specified either in the Instrument of accession or by later addition with the concurrence of the Government of the State. And steps have to be taken for the purpose of convening a Constituent Assembly in due course which will go into the matters I have already referred to. When it has come to a decision on the different matters it will make a recommendation to the President who will either abrogate Article 306-A or direct that it shall apply with such modifications and exceptions as the Constituent Assembly may recommend".

It must be noted State legislature, has not succeeded to any of the Constitutive powers the Constituent Assembly exercised in respect of Article 370. It cannot at any time initiate amendment or changes in the applicability of Article 370 or the subsequent Presidential orders, which have been promulgated from 1954 onwards. The Constitution of Jammu and Kashmir embodies the intention of the Constituent Assembly of the State. It imposes an absolute limitation on the powers of the State Legislative Assembly and the Legislative Council to initiate any amendment or change in the applicability of Schedule-I and Schedule VII of the Constitution of India to Jammu and Kashmir State. The matters placed outside the scope of the powers to amend the Constitution, vested with the State legislature, are:

- (i) provisions of the Constitution of India applicable to the State;

- (ii) provisions of section 3 of the Constitution of Jammu and Kashmir;
- (iii) provisions of section 5 of the Constitution of Jammu and Kashmir;
- (iv) the procedure of amendment of the Constitution of Jammu and Kashmir.

The President of India, in order to bring about any change in the applicability of the provisions of the Constitution of India to the State, is therefore, left with no alternative except to ask his government to move a Bill in the Parliament of India to amend Article 370. The Parliament of India represents the whole people of India on the basis of secular equality including the Hindus of Jammu and Kashmir. The representatives of the Indian people will not accept the re-delimitation of Jammu and Kashmir into a separate political identity on the basis of the Muslim majority character of its population, mainly because:

- (i) the segregation of Jammu and Kashmir into a Muslim State, outside the secular constitutional organisation of India will conflict with the secular basis of the Indian Constitution;
- (ii) the Hindus and other minorities in Jammu and Kashmir cannot be deprived of the fundamental rights which though, partially, they enjoy by virtue of the application of the Constitution of India to the State, and subjected to the slavery of a Muslim State.

In Jammu and Kashmir State, a long pernicious movement for the secession of the State from India, on the basis assumptions

- (a) that the Muslim majority in Jammu and Kashmir formed a part of the Muslim India, which was separated by virtue of the partition of India to form the State of Pakistan and

- (b) that they had the option to decide the final disposition of the State in respect of its accession. The secessionist movement followed an identical ideological commitment to a separate Muslim political organisation which was governed by Islam and which was advocated by the Muslim league in support of the division of India. The secessionist movement, therefore, was fundamentally communal, separatist and theocratic in character. The militarisation of the secessionist movement in 1989, followed the same basic commitments to communalisation and secession of the State from India and its Muslimisation, within or outside Pakistan. The White Paper issued by the Joint Human Rights Committee states quite aptly:

"A more militant outlook inside as well as outside the various secessionist organisations including the Plebiscite Front, developed after the 1965 Indo-Pakistan war. A new generation of Muslim youth had grown under the shadows of the movement for plebiscite, which was imbued by the ideological commitment to the Muslim nation of Pakistan. The movement for plebiscite, whatever may now be said to whitewash its significance, upheld the quest for a separate and independent state for the Muslims, aligned with the Muslim nation of Pakistan completely bred upon the spoils of the Muslim majoritarianism and Muslim precedence, and oriented to the Muslimised political culture of the State, totally fundamentalist in content, the new generation slowly assumed the leadership of the secessionist movements in the State. The new leadership as it emerged stressed that:

- (i) the Muslim leadership of the National Conference had supported the accession of the state to India in 1947, against the will of the Muslims;
- (ii) the secessionist movement led by the Plebiscite Front would not be able to liberate the Muslims

from the Indian yoke because the form of protest against India, it has followed was not adequate to force India to leave Kashmir;

- (iii) the use of armed force alone could compel India to accept the right of the Muslims in the State to self-determination;
- (iv) the Muslim state of Jammu and Kashmir was a natural part of the Muslim nation of Pakistan.

For the last six years, an unabated war of attrition against India is going on inside the State which is aimed to:

- (i) delink the State from India and secure its integration with the Muslim homeland of Pakistan;
- (ii) demolish the secular, social and political organisation of the State and convert it into a Muslim theocracy.

Politically, therefore, any linkage between the restoration of 1953 status and militarisation of secessionism implies that:

- (i) the militant secessionist forces now operating in the State do not accept the exclusion of the Jammu and Kashmir from the constitutional organisation of India as a basis of a settlement on Kashmir;
- (ii) the militant forces do not accept restoration of the 1953 status as a basis of a settlement on Kashmir and their military operations will continue, in spite of the exclusion of the State from the Indian constitutional organisation. In either option cited above, the fundamental question which the proponents of the 'greater autonomy' must answer are:
 - (a) What would be the guarantee that after State is excluded from the Indian political organisation, the secessionist forces, will not take advantage of the dissolution of all federal

instrumentalities in the state and deliver another military offensive against Kashmir?

- (b) In case the militant violence continues even after the State is excluded from the Indian Union, who would guarantee that the exclusion of the State from the Indian political organisation would not be used as a plank to pull the State out of India?
- (c) In the State, which is excluded from the Indian political organisation only on the basis of its Muslim majority character and to ensure its Muslimisation, how would the return of half a million Hindus, flushed out of Kashmir and Doda; under a well devised plan of ethnic cleansing, be ensured?

The new world, governed by the Universal Declaration of Human Rights does not accept any majority oppression as a part of legitimate political process. The restoration of 1953 status, virtually underlines the recognition of the Muslim majoritarianism as a basis of constitutional organisation of Jammu and Kashmir and its relation with India.

Any such proposition is not acceptable to the Hindus and the other minorities in the State. It violates the secular character of Indian polity, Indian commitment to human rights and right to life, equality and freedom, that the Hindus, and other minorities possess, not only in consequences of the Constitution of India but as inherent and inviolable claims, to justice. With the widespread militant violence going on unabated in the State, and the context of international involvement forced by militarisation of secessionism upon India, the demand for the exclusion of the State from the Indian constitutional organisation, has sinister forebodings. Disengagement of the state from the Indian political organisation, while the war of attrition is raging in the State, will tantamount to accept defeat before the war actually ends.

The restoration of the separate political identity of the State on the basis of the Muslim majority character of its population will reinforce the Muslim claim to a veto on the accession of the State to India.

The insistence of the Muslim League on a separate State to protect the Muslims from the Hindu majority in India and the right of the Indian Muslims to reconstitute themselves into a Muslim State, were the two basic planks, on which India was divided. The creation of an autonomous State of Jammu and Kashmir on the territory of India, but outside its political organisation on the same basis will go half way to substantiate the claim of Pakistan to Jammu and Kashmir. The Committee must consider, seriously, that neither the State government nor the Government of India has the right to bring about the dissolution of the State of India.

Index

- Abdullah, Farooq, 165, 174-75, 177
- Abdullah, Sheikh Mohammed, 3, 6, 8, 12, 13, 16, 17, 26-35, 42, 46, 137
- dismissal of, 142
- statement of (1958 and 1962), 180-90
- Accession,
- invasion to, 6
- on trial, 202
- Anglo-Sikh War (I), 2
- Article 306-A, 50
- Article 370, 19-66
- Atal, Hira Lal (Maj. Gen.), 143
- Autonomy,
- greater (to Kashmir), 151-179
- myth of, 27
- Ayengar, Gopalaswami, 11, 12, 16, 22, 23, 33, 53-61, 73-75, 108-9
- Azad, Maulana, 30, 75, 137
- Bandhu, Kashyap, 3
- Basic principles, 50
- Basic Principle Committee, 107, 114, 115
- interim report, 113
- report of, 107
- Cabinet Mission Plan, 4-6, 101, 137, 168
- Central Kashmir Committee, 3
- Constituent Assembly, 75
- Corfield, Konrad, 7
- Dar, Abdul Rashid, 169
- Delhi Agreement, 118, 145
- Delhi Conference, 39
- Delimitation Committee, 76, 77
- Dixon Plan, 136, 139
- Directive Principles of the State
- Police, 56
- Dogra, Pt. Prem Nath, 81
- allegations of, 81
- Dogra rule, 2, 3
- Double Charge, 85
- implication of, 96
- Gandhi, Indira, 156-58, 173
- Gandhi, Mahatma, 11
- Goni, Abdul Gani, 146
- proposals, 146
- Gulab Singh, Raja, 2
- Hari Singh, 7-9, 13, 16, 17, 20-23, 26, 34-37
- differences of with N.C., 15
- Hizib-ul-Islam, 200
- Hizib-ul-Mujahidin, 204
- Indian Independence Act of 1947, 92
- Indira-Abdullah Accord, 150
- Instrument of Accession, 19
- Interim Government, 13
- arrangements, 15
- Iqbal, Mohamad Sir, 3
- Islamic Organisation, 175
- Joint Human Right Committee, 178
- Karan Singh, Dr. (Yuvraj), 48, 63, 129, 144, 176, 179
- proclamation, 63
- Karan Singh Committee, 176, 177
- Kashmir Accord (Feb. 1975), 191-
- Kashmiri Pandit Global Summit, 178
- Kashmiriyat, 161, 162
- Khan, Khan Abdul Gaffar, 9
- Korbel, Joseph, 26, 106
- Masoodi, Maulana, 84-85
- statement by, 140-41
- Menon, V.P., 32
- Militancy and autonomy, 163
- Mountbatten, Lord, 7, 9, 11, 93
- Muslim Conference, 3, 4
- Muslim League, 3, 4
- Mysore model, 13
- National Conference, 4-6, 8, 10
- 'Naya Kashmir' programme, 103
- Nehru, B.K., 163
- Nehru, Jawaharlal, 6, 11, 16, 30-33, 38, 42-44, 46, 47, 117-19, 126
- letter of to Abdullah, 44-46
- New York Times*, 131
- 'Paper accession, 23
- Partition Plan, 92
- Patel, Sardar, 16, 17, 29, 30, 32, 36-38
- Plebiscite Front, 152
- claims of, 155
- Praja Parishad,
- demand of, 128
- President Proclamation (1954), 148
- Proclamation of,
- Rajpurnukha, 40
- Yuvraj, 95-96
- Puri, Balraj, 176
- Quest for independence, 67-98
- Quit Kashmir Movement, 5, 6, 84
- Rajgopalachari, 75
- Red Shirts, 9
- Resettlement Bill, 162
- Sadar-i-Rayasat, 126
- Scott, H.L., 9
- Second Interim Govt., 143
- Shahmiri, M.A., 76-77
- State apart, 63
- Third alternative, 25
- Tochi Scouts, 9
- Treaty of Amritsar, 5, 6
- United Nations Commission
- for India and Pakistan, 25
- Working Committee, 52-54