

*Monthly*

# **KASHMIR TODAY**


October/ November 2018



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# COMPLETE TEXT OF STATEMENT BY PAKISTAN FOREIGN MINISTER SHAH MAHMOOD QURESHI AT UN

**Madam President,**

**Excellencies,**

**Distinguished Delegates,**

**Ladies and Gentlemen,**

May I begin by felicitating Madam Maria Fernanda Espinosa Graces upon her election as President of the General Assembly.

The stewardship of this session by an accomplished leader of her ranking and stature, would undoubtedly lend to the proceedings of this Assembly greater credence and strength.

I also commend Miroslav Lackjack for his able guidance of the previous session.

We appreciate Secretary General Antonio Guterres for his exemplary leadership of the organization, and support his efforts to instill a new sense of mission and direction in the United Nations.

Our profound condolences over the passing away of former Secretary General Kofi Anan, who was a leading light and a driving force in taking the UN agenda forward into the twenty first century.

We expressed deep sympathy and condolences to the government and people of Indonesia for the damage caused by the earthquake and subsequent Tsunami.

**Madam President,**

Two months ago, the people of Pakistan voted for change, for reform and for a fundamental shift in their paradigm of governance.

They opted for a Pakistan, confident and compassionate, open and articulate, peaceful and principled.

A Pakistan that will engage with its neighbourhood and the

world on the basis of equality and respect; a country that will seek resolution of conflicts and convergence of interests; and a state that will build upon common understandings, reciprocal commitments and shared ideals.

Pakistan will brook no compromise on the interests of the nation, the sovereignty of the State, or the security of its people.



Our Government is keen to pursue a policy of partnerships for peace, security and prosperity in our immediate neighbourhood and beyond.

We seek a peaceful environment to promote our development agenda both at the national level and in our region.

**Madam President,**

I stand before this Assembly as the representative of a quintessential developing country, that has at its heart, the welfare of its people.

Under the leadership of Prime Minister Imran Khan, we have begun giving shape to the vision of a new Pakistan through a set of integrated policies and programmes.

**Madam President,**

The world faces a moment of inflection. The very foundations, the very principles on which the edifice of global order is constructed are under assault.

Inequality within and among nations is on the rise.

Forces of protectionism, populism and isolationism are gaining currency. Intolerance is ascendant over acceptance; rhetoric over reason, and power over principle.

Where the world needs bridges, we see fortifications; where it needs highways, we see blockades, and where it yearns freedom, we see cages.

New forms and manifestations of imperialism are appearing. Multilateralism is on a path of retreat. Unilateralist tendencies are growing. Long standing legal norms are being eroded for strategic and commercial considerations.

Dark clouds of trade wars are looming large on the horizon. Challenges of climate change, environmental degradation, pandemics, transnational organized crime and sustainable development are becoming ever more complex.

The post-world war idealism is giving way, slowly but surely, to a hardened, militaristic approach. This trend, Madam President, is not only regressive, it is downright dangerous.

**Madam President,**

We note with concern seismic shifts in the geopolitical landscape of the Middle East. As existing conflicts exacerbate, new threats have emerged. Competing interests of regional and extra regional powers are deepening long standing fissures, and widening the fault lines, even as the tragedy of Palestine continues to fester.

In these uncertain times, the global community appears to be in desperate quest for leadership, a vision, and an order.

**Madam President,**

Consider the issue of striking the right balance between freedom of expression and sentiments of a people.

Where there ought to be empathy, understanding and compassion, we see caricatured, ill informed, jaundiced

judgments.

Recently, Muslims across the world, were pained at a planned competition of cartoons of our Holy Prophet (Peace Be Upon Him). This deeply hurt Muslim sentiments and sensibilities.

On its part, Pakistan will continue to collaborate with friends and partners, on the UN and OIC platforms to reverse the growing tide of bigotry, build crosscultural understandings, and promote dialogue amongst civilizations.

**Madam President,**

The theme of this year's General Assembly session is not only apt but also mirrors the priorities of my Government.

As we embark upon our journey of change and reform, Pakistan stands ready to strengthen its partnership with the UN family of institutions.

Alongside like-minded States, we will continue Madam President, to be a leading voice for comprehensive reform of the UN Security Council, to make it more democratic, representative, transparent and effective. We will continue to oppose the creation of new centres of privilege and prestige, in defiance of principles of democracy, and the Charter's core tenet of sovereign equality of member states.

**Madam President,**

Since its inception, Pakistan has been an ardent adherent of the UN Charter, and an active participant in the UN processes. Pakistan has served seven terms on the UN Security Council, five Presidencies of the Economic and Social Councils and four terms at the Human Rights Council. This is reaffirmation of faith of the international community in Pakistan.

We have championed the cause of the peoples of Africa and Asia to exercise their inalienable right of self-determination and wrest independence from the yoke of colonial rule.

As we pay tribute to the memory of Nelson Mandela Madiba, we are reminded of the high ideals he sacrificed so much for. The best way to honour the legacy of this great leader is to continue to fight the good fight, for

freedom, for dignity and for equality.

**Madam President,**

Pakistan remains one of the oldest, largest and most active contributors to UN Peacekeeping operations the world over. The Pakistani blue helmets have laid lives in the cause of global peace. We are proud of their sacrifices.

Pakistan remains also host to one of the oldest peace keeping Missions, the UN Military Observer Group in India and Pakistan (UNMOGIP). We greatly value UNMOGIP's contribution in monitoring ceasefire along the Line of Control in Jammu & Kashmir.

**Madam President,**

Pakistan desires a relationship with India based on sovereign equality and mutual respect. We seek resolution of disputes through a serious and comprehensive dialogue that covers all issues of concern. We were to meet on the sidelines of this UNGA Session to talk about all issues with India- India called off dialogue the third time for the Modi Government each time on flimsy grounds. They preferred politics over peace. They used the pretext of stamps issued months ago, of a Kashmiri activist and depicting grave human rights violations, including pellet gun victims, as an excuse to back out from the talks.

Dialogue is the only way to address long standing issues that have long bedeviled South Asia, and prevented the region from realizing its true potential.

The unresolved Jammu and Kashmir dispute hinders the realization of the goal of durable peace between our two countries. For over seventy years now, it has remained on the agenda of the UN Security Council and a blot on the conscience of humanity.

For seventy years the people of occupied Jammu & Kashmir have struggled for their rights of self-determination in the face of overwhelming oppression and gross violations of their fundamental human rights by the Indian occupation forces.

There can be no lasting peace in South Asia without a just settlement of the Kashmir dispute based on the UN

Security Council resolutions and the will of the Kashmiri people.

Pakistan welcomes the recently released report by the Office of the UN High Commissioner for Human Rights. The report rightly lifts the veil from decades of obfuscation and chronicles the massive ongoing violations of human rights in Indian Occupied Kashmir. It vindicates our position. No longer the excuse of terrorism can be used to continue to systematically oppress the Kashmiri people.

Pakistan endorses the UN Report and calls for early institution of a Commission of Inquiry under UN auspices to investigate and fix responsibility. We will welcome the Commission to Azad Jammu & Kashmir, and hope that India too, will do the same.

To divert the world's attention from its brutalities, India frequently violates the ceasefire along the Line of Control in Kashmir. Despite numerous violations Pakistan has acted with restraint. But if India does venture across the LOC, or acts upon its doctrine of "limited" war against Pakistan, it will evoke a strong and matching response.

**Madam President,**

Strategic stability in our region has been and continues to be undermined. This is evident in different ways-by introduction of destabilizing weapon systems, pursuit of discriminatory approaches by certain states to supply advanced military hardware and sensitive technologies, and adoption of offensive force postures and doctrines, that imagine conflict beneath a nuclear threshold.

Under the circumstances, Pakistan has no option but to maintain a minimum credible deterrence.

We have been advocating for many years now, a Strategic Restraint Regime for South Asia.

Pakistan is ready to engage with India for meaningful confidence building, risk reduction and avoidance of arms race.

**Madam President,**

Let me also reiterate Pakistan's continued support for strengthening of regional organizations as a platform for poverty alleviation and socio-economic uplift. The regional body for South Asia, SAARC has been rendered

in effective due to the intransigence of one country. We remain fully committed to a functioning SAARC that can improve the lives of the people of the region.

**Madam President,**

Afghanistan and together with it, Pakistan, has suffered heavily at the hands of global power play, strategic miscalculations and cognitive dissonance.

That there is no military solution to the war in Afghanistan is now a foregone conclusion. It is time to act upon that conclusion. A negotiated settlement has assumed urgency in the face of the worrisome and growing presence of Daesh in Afghanistan.

Pakistan will continue to lend its support to an Afghan owned and Afghan led process of peace and reconciliation.

On the bilateral plane, our two countries have operationalized the Afghanistan-Pakistan Action Plan for Peace and Solidarity. It lays down the blueprint for extensive engagements in all areas of common interests.

Pakistan has hosted the longest protracted refugee presence of modern times.

Our role and sacrifices can perhaps be better appreciated when juxtaposed against the rising tide of anti-immigrant sentiments in nations, more resourceful and developed than ours, that have faced the brunt of fewer immigrants, over a shorter timescale.

Because of this protracted situation, Afghanistan's security has a direct spill over impact on our own security and stability. We look forward to the safe, dignified and voluntary return of Afghan refugees to their homeland.

**Madam President,**

For the past seventeen years, Pakistan at great cost of life and resources, has been combating the fires of terrorism and extremism.

By the determined operations of our armed forces, and the full support of our people, Pakistan has turned the tide against terrorism. With the deployment of 200,000 troops, Pakistan has conducted the largest and most effective counter terrorism campaign in the world.

Peace and security have returned to our cities and towns.

In our own national interest, and in line with our National Action Plan, we will continue to strengthen our counter terrorism frameworks and regimes.

Pakistan continues to face terrorism that is financed, facilitated and orchestrated by our eastern neighbour. We wanted to sit with India to discuss all issues, including terrorism, that have created violence in our cities and towns, and have led to tens of thousands of casualties of innocent Pakistanis. Pakistan shall never forget the mass murder of more than 150 children in a Peshawar School, the terrible Mastung attack and many others that have links with terrorists supported by India. And we will never forget the terrorist attack in India against Samjhota Express carrying innocent Pakistanis and now its confessed perpetrators are being allowed to walk free.

We wanted to share this evidence with India and the international community on who supported these acts of violence and terrorism. We have already shared this evidence with the UN. We have in our custody a serving Indian Naval officer, Commander Kalbhushan Yadav, who has provided us with the most incriminating evidence by accepting that he, on the instructions of his government, financed, planned and executed acts of terrorism and violence in Pakistan. This is but one Indian state sponsored official terrorist. Many more are launched inside Pakistan to create terror and mayhem by our eastern neighbour.

And it is India, that in plain sight of the international community, perpetrates state sponsored terrorism in Indian occupied Jammu and Kashmir and other parts of India. It is the concern of the United Nations, as Jammu and Kashmir remains on the agenda of the UN Security Council. And it is a matter of concern for the international community as humanity is being crushed and human rights being violated all over India, where people have stood up against oppression, occupation and to demand their fundamental rights.

It is also a matter of concern of the international community that India has sponsored terrorism and aggression against all its neighbours.

**Madam President,**

The strongest antidote to the poison of terrorism is development that yields dividends. The vision of Belt and Road is a path-breaking initiative by a world leader of great sagacity and foresight to create a community of common destiny. It is a global common good beneficial to all. Our vision for China Pakistan Economic Corridor is to help translate our geo-strategic potential into geo-economic dividend. Pakistan looks to offer the vital connectivity nodes linking the Middle East with western China, and affording Central Asia the shortest most feasible access to the Sea.

**Madam President,**

The challenges of our times have enhanced, not diminished, the relevance of the United Nations. The United Nations must remain the central platform for dialogue and diplomacy. For the UN to remain relevant to the needs of the people and respond to the demands of the twenty first century, we believe that: One: Sustainable development goals must be pursued in order to reduce inequality within and among nations. We hope the Secretary General 's highlevel event on Financing the Implementation of the 2030 Agenda, earlier this week, will serve as a catalyst for rapid progress towards realizing the SDGs. Two: Corruption is a grave crime. Those who provide safe haven to illgotten wealth, are partners in the crime, and equally culpable. Existing international conventions on corruption do not go far enough in addressing this malaise. It is time to return the looted wealth to their rightful owners, the people, and to take to task, both the perpetrators, and their abettors. Three: Climate change poses serious challenges to all States. The Paris Agreement must not be allowed to become hostage to sectoral interests. Even as Pakistan contributes minimally to global emissions, our country remains among the most vulnerable. Our Government completed the plantation of a billion trees project in the Khyber Pakhtunkhwa province. We have now launched an ambitious project of planting 10 billion trees across Pakistan. Four: A rules-based global order is vital for promotion of international trade in goods and services as well as global nuclear commerce and governance mechanisms. Carving out exemptions and bending established rules to suit partisan interests must be

eschewed. Five: An objective and transparent criterion must be evolved to facilitate trade in strategic goods and membership of groupings governing it. This is essential for countries pursuing economic growth and development. Six: Sanctity and integrity of international agreements must be maintained. Strategic stability must be nurtured by policies of restraint and responsibility, not by considerations of profits and politics. Seven: Technology and innovation are key to reshaping our states and societies. We must strike a prudent balance between guarding against misuse of emerging technologies and facilitating their access to developing countries. It is essential to develop universally agreed legal frameworks in the area of cyber security, lethal autonomous weapons system, Artificial Intelligence and weaponization of outer space. Eight: Dislocation of people in recent years, primarily because of wars but also due to pervasive poverty, has energized the global debate on refugees and migrants. The deliberations leading to the Global Compacts on Refugees and Migrants represent a step in the right direction. The true litmus test of these compacts lies in the effective implementation of commitments.

**Madam President,**

Pakistan believes that a new consensus on peace, security and development, can and should be developed. A new paradigm for universal peace and prosperity is both desirable and achievable. Pakistan will be a willing and able partner of the international community in this worthwhile pursuit.

**Madam President,**

The challenges ahead are daunting; the road forward, untraveled, the route uncharted. These times call for deliberation and diligence, but also cooperation and concerted action. They call for a truly united, United Nations. The Kashmiri wife who lost her husband; the Kashmiri school boy who lost his eye sight and his future to pellet gun injuries; the Syrian father who saw his child drown, the Palestinian girl who suffocates under siege, the African migrant willing to risk all for a better life, continue to look to this, the United Nations for support and succor. Let us not fail them any longer.

# WHY KASHMIRIS OBSERVED 27<sup>TH</sup> OCTOBER AS BLACK DAY!

## Background

The saga of the sufferings of the people of occupied Kashmir started with the landing of Indian troops in Srinagar on October 27 in 1947. India occupied the territory of Jammu and Kashmir against the people's aspirations and in total disregard to the Indian Independence Act and Partition Plan. The Kashmiris consider the 27th October as the darkest day in the history of Jammu and Kashmir and observe it as a Black Day.

As per the Partition Plan of 3rd June 1947, passed by the British Parliament on July 18, the same year, the British Government announced to divide its Indian Colony into two sovereign states - India (comprising Hindu-majority areas) and Pakistan (consisting of Muslim-majority areas of Western provinces and east Bengal). At the time of partition of the Indian subcontinent, although over 550 Princely States had become independent but they were given the choice to accede either of the two newly-formed countries. Jammu and Kashmir, with 87% Muslim population, had a natural tendency to accede to Pakistan. The aspiration of the Kashmiri people to be the part of the newly established Muslim state was already expressed by their representatives at a meeting of Jammu and Kashmir Muslim Conference at Aabi Guzar in Srinagar on July 19, 1947 when they passed a resolution announcing the accession of Jammu and Kashmir to Pakistan. Unfortunately, India violating all rules and norms set for the partition, invaded and illegally occupied Hyderabad, Junagarh and Kashmir. The Jammu and Kashmir's autocratic ruler, Maharaja Hari Singh, in connivance with the leaders of Indian National Congress and British rulers destroyed the future of the people of the territory by announcing its accession with India under the so-called "Instrument of Accession" thus sowing the seeds of the Kashmir dispute.

A prominent British historian, Alistair Lamb, challenged India's claims that it signed 'Instrument of Accession',

which was drafted in Delhi and presented to Maharaja Hari Singh on October 26. In his book "*The Birth of Tragedy*", Alistair Lamb citing successive events after the partition wrote that the Indian troops had invaded Kashmir prior to the signing of the "Instrument of Accession". He claims that it was due to this reason that the Indian government never made the document public at any international forum. Noted Kashmiri researchers, Abdul Majid Zargar and Basharat Hussain Qazilbash, proved that the "Instrument of Accession" is fake and no such genuine document ever existed. Even Indian Archives Department has now declared that the document is lost. This has put question marks on the very existence of the document.

Unfortunately, the so-called Boundary Commission headed by British Barrister, Cyril Radcliff, was also involved in a criminal plan that led to the creation of the Kashmir dispute. India had no land route to enter into Jammu and Kashmir. However, the commission, which was given the task of demarcating the partition line, under a conspiracy split the Muslim majority area of Gurdaspur and handed it over to India, providing it terrestrial access to the territory.

## Kashmir in the UN

**The people of Kashmir offered stiff resistance to the Indian occupation and launched a mass struggle against it. Their resilience pushed India into a defensive position and sensing a humiliating defeat to its troops, it approached the UN Security Council on 1st January 1948 seeking its help to settle the dispute.** The UNSC passed successive resolutions (accepted by both India and Pakistan) nullifying the Indian invasion and calling for settlement of the Kashmir dispute by giving Kashmiris people the right to self-determination through an impartial plebiscite to be conducted in Jammu and Kashmir under the UN's supervision. However, Indian rulers later backed away from their commitments and

described Jammu and Kashmir an integral part of India.

### **Kashmiris' rebellion against Indian occupation**

The people of occupied Kashmir felt disappointed following the failure of all the efforts aimed at resolving the Kashmir dispute through peaceful means for decades. In 1989, they intensified their struggle to secure their right to self-determination. This movement gave sleepless nights to the Indian rulers. They lost their control, in practical sense, and could not even hold sham elections for the so-called Legislative Assembly and the Indian Parliament. They responded this popular movement with the brute military might. Since January 1989 till September 2018, Indian troops have martyred 95,129 Kashmiris, widowed 22,882 women, orphaned 107,723 children and molested or gang-raped 11,082 Kashmiri women - the rape of women being used as a weapon of war to intimidate the Kashmiris into submission. Over eight thousand innocent youth have been subjected to disappearance in custody and their whereabouts remain untraced. Many of those are feared to be buried in thousands of unmarked graves discovered in the territory after being killed by the Indian troops in fake encounters.

### **Mass uprisings**

In 2008, the Kashmiris gave more impetus and a new dimension to their struggle to get rid of Indian bondage. For the next three consecutive years, they kept on hitting the streets in thousands with the demand of the right to self-determination. But most of the time, Indian forces' personnel subjected these peaceful demonstrators to excessive use of brute force, killing more than 200 people during the period.

*In the ongoing mass uprising triggered by the extrajudicial murder of popular youth leader, Burhan Muzaffar Wani, by the Indian troops on 8th July 2016, the people are taking to the streets in large numbers in every nook and corner of the occupied territory on daily basis, demanding an end to Indian rule in Jammu and Kashmir. The Indian police and troops are using every brutal tactic against the protesters. They have also intensified cordon and search operations across occupied Kashmir to suppress the uprising and intimidate the people into submission. Since the killing of*

*Burhan Wani, 701 Kashmiris have been killed and 24,456 injured in the firing of pellets, bullets and teargas shells by the Indian forces' personnel during demonstrations and military operations. More than 340 youth have lost their one or both eyes to the pellet injuries while over 1,020 are at the verge of losing their eyesight. Hundreds of people including Hurriyat leaders have been put behind the bars.*

### **Indian state terrorism and other tactics**

*India has miserably failed to suppress the Kashmir freedom movement despite killing hundreds of thousands of Kashmiris during the past over seven decades. The incumbent Indian government led by Narendra Modi is hell-bent to completely merge Jammu and Kashmir in India and change the Muslim majority of occupied Kashmir into minority. It is using its judiciary to abrogate Article 370 and Article 35-A of the Indian Constitution to pave way for giving the citizenship rights of Jammu and Kashmir to the Indian citizens. Indian designs to change demography of Jammu and Kashmir are intended to influence in its favour the results of a referendum whenever it is held in the territory. As such, the move is against the very purpose of the relevant UN resolutions. India is also using its investigating agencies like National Investigation Agency (NIA) and Enforcement Directorate (ED) to implicate Hurriyat leaders, activists and pro-freedom people in false cases to force the Kashmiris to surrender their just cause. Unfortunately, the international community, particularly the UN, is turning a blind eye to India's actions in Kashmir resulting in the continued sufferings of the Kashmiri people.*

### **Pakistan's support**

*The Pakistani leadership has always represented the Kashmiris' aspirations and never betrayed the faith reposed in it by the Kashmiri people. The Prime Minister, Imran Khan, since assuming his office in August this year and the Army Chief, Qamar Javed Bajwa, have time and again called for peaceful settlement of the Kashmir dispute for ensuring durable peace in South Asia. The fact remains that despite facing the worst Indian military aggression for supporting the Kashmiris during the past*

several decades, Pakistan never gave up its support to the Kashmir cause and continues to advocate resolution of the Kashmir dispute in accordance with the Kashmiris' aspirations.

### Encouraging developments

The unparalleled sacrifices rendered by the people of occupied in their just struggle during the past over seven decades have finally shaken the conscience of the world community, which has started to raise its voice for their rights. Many encouraging developments on Kashmir have taken place during the past few years. The UK Parliament held a debate on the Kashmir situation on January 19, 2017 during which a motion supporting the Kashmiris' right to self-determination and upholding the UN resolutions on Kashmir was passed. The European Parliament issued a document on July 18, 2018 that highlighted the history of the Kashmir dispute, the UN resolutions on the issue and the Kashmiris' freedom struggle. The All-Party Parliamentary Group on Kashmir in the British Parliament initiated an inquiry into the Kashmir situation. The United Nations High Commissioner for Human Rights, Zeid Ra'ad Al-Hussain, released a report (first of its kind) on June 14, 2018 that highlighted the grave human rights violations perpetrated by the Indian troops in occupied Kashmir. New head of the

UN Human Rights, Michelle Bachelet, recently in September upheld the position taken by her predecessor, Zeid Ra'ad Al-Hussain, on the human rights situation in Kashmir.

### Conclusion

This is the background of the observance of October 27 as Black Day by the Kashmiris across the globe. The aim of the observance of the day is to remind the world of its obligations towards settling the Kashmir dispute as per the relevant UN resolutions and the wishes of the people of Jammu and Kashmir. At the same time, it is intended to send a loud and clear message to New Delhi that the Kashmiris reject its illegal occupation of their homeland and they are determined to take their struggle for securing their inalienable right to self-determination to its logical conclusion, come what may.

In view of India's nefarious designs to change the disputed status of Jammu and Kashmir and the demographic composition of the territory, the observance of October 27 as Black Day becomes more important for the Kashmiris to make it clear to India and the world community that they would never accept India's hegemonic designs and would not rest till they achieved their cherished goal of freedom from the Indian yoke.

## GILGIT-BALTISTAN, LEGALITY & KASHMIR ISSUE

While a tyrant occupier India euphorically claims the Vale as an integral part of India, New Delhi unjustifiably affiliates the disputed Kashmir sovereignty with Gilgit Baltistan's region (an integral part of Pakistan). The Modi government levels objections to the CPEC's development in that region by arguing its stipulated link to the would-be Occupied Kashmir plebiscite. This Indian stance is unacceptable under international law, which rightly argues that if a dispute arises as to sovereignty over a portion of territory where one party has actually displayed sovereignty (Pakistani), it is not enough for the other party (India) to show the sovereignty once existed. On October 04, Pakistani government announced that it will soon fix

the constitutional status of Gilgit-Baltistan. Pakistani government has smoothly performed the administrative functions in Gilgit-Baltistan region ever since the partition of Subcontinent in 1947 under the very principle of continuous and peaceful display of the functions of state within a given region, which remains a constituent element of customary international law.

Gilgit-Baltistan is located between Xinjiang Autonomous Region of China, Wakhan Corridor of Afghanistan, the Ladakh region of Indian Occupied Kashmir, Azad Jammu and Kashmir (AJ&K) and Khyber-Pakhtunkhwa province of Pakistan. Central Asia and the Tibet region of China are



Syed Qamar Afzal Rizvi

Baltistan region holds its unique primacy. India is opposing CPEC on unjustified grounds and resents the political-cum-economic upgradation of Gilgit-Baltistan. Yet for primacy of law, justice, security and prosperity, Pakistan rightly ignores India's objections.

For the record, from 1846 onwards, Dogra policy towards the Muslim inhabitants of the valley was based on religious discrimination, economic exploitation, heavy taxation, and denial of political rights. By the 1890s, it was the British Agent at Gilgit-Baltistan who wielded the real authority there. This not unexpectedly created massive discontent, which was tapped by Sheikh Abdullah in 1932 when he set up the All Jammu and Kashmir Muslim Conference (NC). The objective of the party was to protect the interests of the Muslim community against the tyrannies of the Maharaja. In 1935, the British leased Gilgit-Baltistan from Kashmir for sixty years, but surrendered their lease on the eve of partition."

Neither Maharaja nor his ancestors were able to endorse his sovereignty in Gilgit-Baltistan. Given this fact, it is clear that the Maharaja did not perform the activities of a territorial sovereign in that region. As such, the Maharaja had never exercised sovereignty over the region, and could not transfer more rights than he possessed. Therefore, India did not receive the Gilgit-Baltistan region, now possessed by Pakistan, under the Instrument of Accession. While the Instrument of Accession makes no reference to the will of the people, the Indian acceptance of accession came in the form of two letters: One was a formal statement by Mountbatten, the Governor-general, that "I hereby accept this Instrument of Accession. The second was a personal letter in reply to a letter from the Maharaja, in which the reasons for seeking to accede were outlined. In this letter, Mountbatten stated that "it is my government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the state's accession should be settled by a reference to the people. As the British surrendered their lease on the eve of partition, the Gilgit-Baltistan region was a *terra nullius* under international law.

Since independence, Pakistan has claimed the Gilgit-Baltistan region as part of its territory, keeping it beyond the control of the Azad Kashmir authorities and making it an integral part of Pakistan. At the time of accession, under the August 1947 Standstill Agreement, Pakistan alone was responsible for administering services in Kashmir such as the post, telegraph and railways. These services were the beginning of Pakistan's establishment of government authority over the region.

Undeniably, the Dogras entered Gilgit-Baltistan by means of military aggression. Other than that, there had neither been a constitutional or legal basis, legitimacy or rationale for their rule in Gilgit-Baltistan, nor the people accepted their illegitimate rule. Hence, the Dogra occupation of the region following a military invasion cannot be a *raison d'être* for Gilgit Baltistan to be part of J&K. Under the Karachi agreement signed between the government of AJK and the federation of Pakistan in April, 1949, it was agreed that the affairs of Gilgit would run by the government of Pakistan rather than the AJK government. Undeniably, the populist opinion in Gilgit-Baltistan rejects India's perception *vis-à-vis* plebiscite.

As for the India-occupied Kashmir, Pakistan views the Muslim majority Kashmir, which is contiguous to Pakistan, as rightfully belonging to it. Pakistan argues that the basis of the partition of the British Empire in the Indian subcontinent was "that Pakistan would be constituted by the contiguous Muslim-majority areas in the northwest and the northeast of the subcontinent, and India would comprise contiguous non-Muslim-majority areas," and it "was thus universally assumed that, following the basis adopted for Partition," states with "a Muslim majority in population contiguous to Pakistan would accede to Pakistan."

Pakistan has refused to recognise the accession by Kashmir in favour of India. India's recent decision to censor the Economist fair reflection on Kashmir, following the publication of a map that shows the disputed borders of Kashmir, represents two unsurprising but ominous things: that the country's age-old intransigence over Kashmir still runs deep; and its willingness to curb freedom of speech over its chauvinistic mind-set. Today,

Kashmiris are bound to react against the oppressive governmental policies via separatist ventures that the Indian government unjustifiably brands with terrorism and insurgency. Nevertheless, viewing all of the developments from partition to the present, the only viable solution in this regard rightly argued and agreed by seasoned conflict resolutionists including James D Howley, an American expert on

international law is none but the implementation of a UN's supervised plebiscite in Kashmir.

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## UN ROLE IN KASHMIR

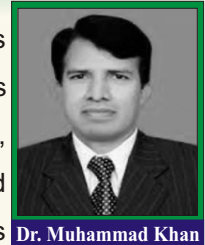
The principle of self-determination is prominently embodied in Article I of the UN Charter, explaining that, "All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." The de-colonisation of Indian Sub-continent was a historical event. Pakistan and India came into being as a result of this decolonisation. The major factor behind this decolonisation was the right of self-determination, granted to everyone through above mentioned provision of UN Charter. Whereas the bulk of the world nations got this right, Kashmiris were denied of their inalienable right in 1947. Failure to get their right, Kashmiri started their struggle against Dogra Rule through announcement of an independent (Azad) Kashmir. On October 24, 1947, Kashmiri formally established the Azad Kashmir whose resolution for accession with Pakistan was already announced on July 19, 1947. On October 27, 1947, Indian forces landed at the Srinagar Airport and then there was a war between Kashmiris and Indian forces. Surprisingly, even being an aggressor, India, referred the Kashmir case to UN.

Indeed, the issue of Jammu and Kashmir is the oldest unresolved issue on the agenda of the United Nations Organisation. From January 1948 to May 1964, United Nations Organisation passed sixteen resolutions and undertook many debates and discussions concerning Jammu and Kashmir. In all of its resolutions, including resolutions of United Nations Commission for India and Pakistan (UNCIP), United Nations Organisation asked for a fair and impartial plebiscite to decide the future status of

Jammu and Kashmir as per the wishes of its subjects. In order to implement its resolutions, UN appointed its missions, mediators and even nominated Plebiscite Administrators with various practicable suggestions and proposals to reach a logical solution of the issue. However, owing to inflexible attitude of India, all these efforts proved futile, resultantly, Kashmir issue is still unresolved and Kashmiri masses are suffering the worst form of human rights violations at the hands of Indian occupation forces.

Compared to cold war era, where US and West was supportive to Pakistani stance on Kashmir, there is total different scenario in 2018. At that time, UN representatives and its missions worked selflessly with devotion and dedication for working out a positive outcome to resolve the dispute. Unfortunately, at that time India and its strategic ally, former Soviet Union blocked all UN efforts for a solution of the dispute. Pakistan, however, has been asking for the right of self-determination of Kashmiris as per UN Charter and its resolutions. Since United Nations accepted the right of self-determination of Kashmiris, thus, all its resolutions, stressed for a free, fair and impartial plebiscite under it. India, however, fearing a defeat, resorted to delaying tactics to avert the plebiscite exercise.

Like always, today in 2018, the oppressed Kashmiri masses are looking towards United Nations to play a constructive role for concluding the dispute on logical grounds as per its Charter and resolutions. As an impartial world body, UN could have seen through the Indian



Dr. Muhammad Khan

design, which only desire to annex the territory of Jammu and Kashmir as part of Indian Union. India is doing all this while setting aside the facts of geographical contiguity, ethnic homogeneity and above all the wishes of the Kashmiris. It is India which has delayed the conduct of plebiscite in Kashmir against the UN Charter and wishes of the people. Practically, there cannot be any accession of the state with India, since UN has passed two specific resolutions with a clear verdict regarding the powers and jurisdiction of the State's Legislative Assembly. Through UN resolutions; March 30, 1951, and January 24, 1957, it is categorically stated that, State's Constituent Assembly cannot determine the future status of the state, until there is a UN sponsored plebiscite. Pakistan and Kashmiris are concerned that, despite its clear directive through its resolution, India continued its illegal acts and this world body could not take any action against it.

After seven decades UN still seems to be undecided to

take a decisive step for the resolution of this outstanding dispute. This world body did not delay actions in case of East Taimoor, South Sudan and many such like issues, which provides a pretext to Kashmiris to say that, UN is discriminatory and so are the major powers. Had, this world body been free and impartial from international influences, Kashmiris would have given their right of self-determination much earlier. Verbal condemnation of Indian occupation and Indian state terrorism over the people of IOK would not make much of difference. There is a planned genocide going on in IOK, which warrants immediate action by UN and major powers. The humanitarian dimension of the dispute has to be looked into by international community and United Nations for its final resolution, before the region gets into another conflict.

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## THE BIRTH OF AZAD JAMMU AND KASHMIR PARADISE ON EARTH

Kashmir the paradise on earth- is located in the heart of Central Asia surrounded by Pakistan, Afghanistan, China and India. Situated amongst the loftiest kilometers. The northern parts of Kashmir comprising Laddakh, Astore, and Gilgit are 164,605 sq kilometers. The beauty of Kashmir Valley is proverbial. It is surrounded by high mountains, thick forest, meadows and streams. A traveler entering the Valley at Baramula discerns a change that he can feel but cannot determine as to what it is. The air is different, the sounds and smell are different. And then gradually it starts dawning on him that the atmosphere is dust-free. Fresh cold air is laden with moisture.

### **AN OBNOXIOUS DEAL**

Historically speaking Kashmir had been ruled by the Muslims from 14<sup>th</sup> century onwards. The Muslim rule continued till early 19<sup>th</sup> century when in 1819 Ranjit Singh, the Sikh ruler of the Punjab, conquered it from the Afghans. Subsequently, the acknowledged Gulab Singh,

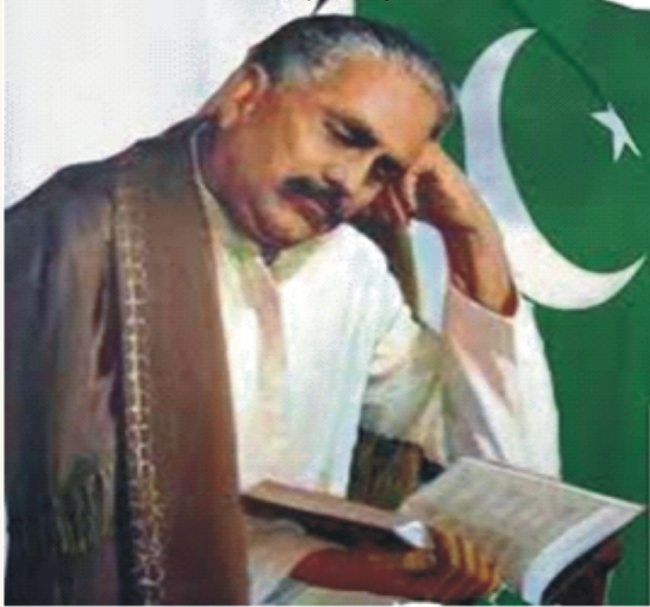
a Dogra Rajput who had entered his service as Raja of Jammu. Gulab Singh in turn expanded his rule over all parts of Kashmir except the Valley which he purchased from the British in 1846 for a sum of 7.5 million rupees. As an acknowledgment of the British paramountcy, he also agreed to pay a nominal yearly tribute. It was not the sale of real estate but everything animate or inanimate was sold by the British for a sum of 7,500,000 Nanakshi Rupees. The borders were not well defined. Therefore, the Maharaja kept adding territories to his state and generally the British kept themselves aloof accepting internal autonomy of the Dogras in Kashmir. It was during and after World War I that various threats to the British Indian Empire developed, forcing them to take note of overall security arrangements.

### **MUSLIM AWAKENING**

Referring to the sad incident of 70 sale of Kashmir to Gulab Sing on 16 March 1846. Allama Sir Mohammad Iqbal, the famous poet of undivided India; the son of

Kashmir; on the eve of inauguration of League of Nations said,

“'O' Breeze; if thou doest pass by Geneva sometime, To



the League of Nations take, this sad gloomy rhyme; Each fill, each garden, each farmer to they sold, A nation for a price that makes may blood ice could.”

The year 1931 is quite significant. A series of incidents

”باد صبا اگر بہ جمہور اگدر کئی  
حرف زماہی مجلس اقوام باز گوئے  
وہقاں و کشت و جوئے و خیاباں فرخند  
قوے فروختند و چہ ارزاں فروختند“

occurred one after the other providing a source of concern to Muslims. On Eid Day when during 'Khutba' (sermon to the congregation) on 29 April 1931 in Jammu city the story of Moses and Pharaoh from the Quran was quoted to bring out the cruelty and oppression suffered by followers of Moses. Babu Khem Chand, a sub-inspector interrupted the Khutba alleging that the story was an indirect attack on the Maharaja. This was resented by the congregation. As this news travelled in other parts of the state a chain of ill- feelings and resentment against authorities ensured.

On 4 June 1931 while reciting a part of the Quran (Pan Sura), police constable Fazal Dad was accosted by Head Warder of Jammu Central Jail for being late to attend to

his duties. The constable quietly put away the sacred book under his pillow and rolled his bedding. Baba Ram Sub- Inspector who was accompanying the Head Warder kicked the bedding. The Muslim Head Constable protested that this was deliberate desecration of the Holy Book “QURAN”. The news spread like wildfire and aroused the religious sentiments of the Muslims. There were protests and rallies all over the state. Posters printed in Punjab were smuggled into Kashmir. It was during this upheaval, when a personal employee of a British Officer Major Butt of Yorkshire Regiment, Abdul Qadeer Khan from Amroha UP, addressed and incited the crowd further against state administration quoting these incidents. Next day Abdul Qadeer was also had to be shifted to the premises of Central Jail Srinagar. The Muslim crowd started gathering outside the jail daily to protest against this trial in camera expressing their apprehension of bias against a Muslim by the Hindu Session Judge Pandit Kishan Lal Kitchlu.

### TURNING POINT OF THE HISTORY

On the fateful day of 13 July 1931, the Muslims again gathered outside the Central Jail. They were agitated but their leaders ensured that they would remain peaceful. The crowd had earlier once tried to forcibly enter the Jail. It was mid day when they were lining up for prayers that five persons were arrested. This action was unwarranted. The provoked crowd charged the gate to force entry and due to police firing seventeen persons died on the spot; forty received injuries. This was the turning point of the history of the people of Kashmir. Some cord inside the psyche of Kashmiris snapped. The indomitable will dormant for long took over. According to Mr. Wakefield the dead and the injured received bullet wounds in the chest or front side of their bodies. Kashmir have ever-since never stepped back and are till today receiving the bullets of the oppressors on their chests.

### ALL JAMMU AND KASHMIR MUSLIM CONFERENCE

The Muslims of Kashmir formed their first political party on 15<sup>th</sup> October, 1932 and named it; 'The All Jammu and



Kashmir Muslim Conference' and its first session was held in Srinagar on 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> October 1932. Sheikh Abdullah was elected President and Ch. Ghulam Abbas

General Secretary. The First session witnessed a get-together between all delegates from all parts of the state for the first time in the history of Kashmir. In course of a short time the Conference became a powerful political party, became bold enough to issue an ultimatum to the Maharaja for the earliest introduction of Reforms. The Maharaja announced elections to the Kashmir Assembly to be called; 'Praja Sabha'. The Praja Sabha was to consist of 75 member of whom 35 were to be nominated by the Maharaja and only 40 to be elected by the people. In spite of the overall majority of 78 percent in the Jammu and Kashmir State Muslims were given only 21 seats. In 1938 elections were held, the Muslim Conference captured all the 21 Muslim seats.

### **NATIONAL CONFERENCE**

It was during the sixth session of the Muslim Conference on the 6<sup>th</sup> March, 1938 Sheikh Abdullah observed in his Presidential address that time has come when it has become necessary to admit Non-Muslims also to make the organization a truly representative party of all the people of the State- Muslim, Hindu, Sikh and Budhist to put up a joint front to secure their rights. Accordingly, a resolution was passed to rename the Muslim Conference as 'The National Conference'. The first session of the National Conference was held on 10<sup>th</sup> June, 1939. On 1<sup>st</sup> October, 1939 a resolution was passed approving the stand of the National Congress. On this occasion Sheikh Abdullah praised the National Congress and condemned the All India Muslim league. The worst fears of Ch. Ghulam Abbas and his friends came true; Abdullah started slipping and the Muslim Conference decided to revive and reorganize. During its 2<sup>nd</sup> session in



December, 1939 demanding that 'Hindustani, in both Devnagri and Persian scripts should be prescribed as one of the elective subjects in the Kashmir Civil Service competitive examinations'. This was taken by the Muslims as a measure to sabotage Urdu, the official and Court Language. Thus came the final break.

### **QUAID-E-AZAM MOHAMMED ALI JINNAH VISITS KASHMIR**

On an invitation by the leaders of the 'Muslim Conference' and 'National Conference' to arbitrate on



their differences Mohammed Ali Jinnah visited Kashmir on a leaders. Ch. Ghulam Abbas and Sheikh Mohammed Abdullah at Delhi and Srinager. Addressing a Meeting held in his honour by the 'Muslim Conference' he said:-

“As regards the Muslims, as I said, we are vitally concerned with their welfare, but I regret that although Sheikh Abdullah and his party and the Muslim Conference discussed matters with me in Delhi and in Lahore before my arrival here, and were. Good enough to

accord me a great reception, and were anxious that I should hear both sides and bring about a settlement, which I, after careful consideration, suggested that Muslims should organize themselves under one flag and one platform, not only my advice was not acceptable to Sheikh Abdullah but, as is his habit, which has become second nature with him. He indulged in all sorts of a language of a most offensive and vituperative character in attacking me. My advice to Muslims is that differences can only be resolved by arguments, and not by 'goondaism'. My advice to the two parties is to 'Unite around one platform, one organization and one banner.'

### **MUSLIM CONFERENCE PASSES RESOLUTION ON 19 JULY 1947**

".....The Convention of the Muslim Conference has arrived at the conclusion that keeping in view the geographical conditions, 80 percent Muslim majority out of the total population, the passage of the important river of the Punjab through the State, the Language, cultural and racial, economic connections of the people and the proximity of the borders of the State with Pakistan are all facts which make it necessary that the Jammu and Kashmir State should accede to Pakistan Constituent Assembly:"

### **POONCH UPRISING**

Poonch Jagir, covering an area of 1,627 Sq miles, adjoining the Muslim-majority provinces of the N.W Frontier and the Punjab, had a population of 421,828 out of which the Muslims comprised the largest majority of 90.37 percent, numbering 382,722. They are a war-like people and had contributed 60,000 men in the first and second great wars-war veterans alive during the crucial year of 1947. All of them were loyal to the Maharaja and they had demonstrated their loyalty in April, 1947 on the occasion of the Maharaja's visit to Rawalkot in the ceremonial uniform of his first visit to Poonch. It was a gala day for the reception of the Maharaja 40,000 war veterans in their uniform, displaying their decorations-medals and stripes won for gallantry were gathered and the surrounding hills illuminated with fireworks in honour

of the Maharaja's visit, to give him a rousing reception"...  
" On the appointed day when the Maharaja reached Rawalkot in his jeep he was stunned on seeing a surging sea of about 40,000 uniformed and trained soldiers waiting for him. According to a report, some members of the tiny Hindu Sikh minority in the Rawalkot area had already poisoned his ears by telling him that the Muslims wanted to make a show of strength rather than of loyalty. A separate group of 50 or 60 odd Dogra soldiers were standing in line to greet the ruler. To the surprise and dismay of the 40,000 Muslim ex-soldiers other Muslim notables gathered to greet him hence, in the afternoon, in the small dak bungalow of Rawalkot where the Maharaja was staying, Colonel Khan waited on him. To allay his apprehensions, he emphasized that these simple soldiers had come from different places in their thousands to pay respects to their Chief, and anything else was farthest from their thoughts. Simultaneously, Col Khan advised the Muslims living in the hills, surrounding Rawalkot, to light bonfires in the evening to serve as illumination as a mark of their welcome to the Maharaja."

The State forces comprised of 10 Battalions of which only two (4 J&K and 6 J&K) were mixed-half-Muslim and half-Dogra- while the rest were entirely composed of Hindus/Dogra/ Sikhs/Gorkhas.

"On his return to Srinagar, the Maharaja lost no time in raising additional forces, organizing a New Poonch Brigade and deploying them in all important sectors of Sudhanati and Bagh tehsils. "There was a tax on every wife. Finally, the Zaildari tax was introduced to pay for the cost of taxation, and Dogra Hindu troops were billeted on the Muslim Poonchis to enforce collection." These were discriminatory taxes imposed on Muslims only and abominable.

### **MUSLIM OFFICERS AND MEN OF 4 J&K REBEL ON 22<sup>ND</sup> OCTOBER, 1947**

The Dogra Army Battalion J&K was a mixed Battalion comprising half- Muslim and Half-Dogra/ Sikh personnel guarding the Barkot and Lohagali posts. The Muslim

officers and men revolted on the night of 21/22 October killed the Hindu-Dogra officers and men, captured the armoury and threw open the road and dashed along right bank of the Jhelum towards Kohala on the main Rawalpindi Srinagar motorable road and captured the Kishanganga river Bridge in tact (renamed Neelam river bridge) on the Abbottabad Srinagar road was captured in tact and Muzaffarabad fell in the morning of 22<sup>nd</sup> October, 1947. Most of the members of the Dogra army guarding the bridge were killed. The armoury was taken over and the Dogra adjutant who came to collect arms was shot dead. A column of the Liberation Army dashed towards Kohala upstream, swam across the Jhelum, reached the otherside out of sight of the Dogra army pickets, then over powered the Dogra picket and captured the Kohala bridge in tact. The Battalion Headquarters Domel, situated at the confluence of the Jhelum and Neelam rivers, was also captured killing the Commander Lt. Col Narain Singh. By midnight of 22<sup>nd</sup> October, 1947 the entire Muzaffarabad area was flushed out of the remnants of the Dogra forces. The inventory of the Arms and ammunition Rifles, LMGs MGs, ammunition was impressive. The surviving soldiers of the Dogra Battalion fled towards Srinagar killing Muslims on the way. Now they were 10 miles beyond Muzaffarabad. At this Point they encountered the Dogra army which was wiped out but while they were fleeing they destroyed one vital bridge ahead of Uri towards Srinagar. Soon, a diversion was improvised and they were again on the road. They had no transport. The Dogra army had now taken positions in the hydroelectric power station at MAHURA under the command of Brigadier Rajender Singh, Chief of Staff of the Dogra Army who offered stiff opposition. The Mahura power station was damaged and went out of commission plunging Srinagar, 58 miles away, into darkness at about 8 in the evening. Precisely at that time on the 24<sup>th</sup>, the Maharaja was holding a Durbar on the occasion of Dusehra, receiving homage and Nazianas. On the 25<sup>th</sup> the Liberation army reached Baramula along with the tribals who had entered the State on the 22<sup>nd</sup>

October, 1947. The Dogra administrative structure had virtually collapsed. Srinagar was now only 35 miles away. The Maharaja fled from Srinagar on the 25<sup>th</sup> October, 1947 late in the night.

## **DECLARATION OF PROVISINAL GOVERNMENT**

“The Provisional Azad Government, which the people of Jammu and Kashmir have set up a few weeks ago with the object of ending intolerable Dogra tyrannies and securing to the people of the state, including Muslims, Hindus and Sikhs, the right of free self-Government has now established its rule over a major portion of the State territory and hopes to liberate the remaining pockets of Dogra rule very soon. In view of these circumstances it has been reconstituted with Mr. Ibrahim, Bar-at-Law of Poonch as its provisional head, and its headquarters have been moved to plandari in poonch. “The new Government represents the united will of the Jammu and Kashmir State to be free long suppressed and oppressed the people.”.....

“ The united will of the people has, however, overcome the organized violence of the Ruler's armies. He and his so called Prime Minister have fled from Kashmir and will perhaps soon flee from Jammu as well.

“The Provisional Government, which is assuming the administration on the State is most include Muslims as well as non-Muslims in the provisional Cabinet which will serve the people, the temporary purpose of restoring law and order in the State and enable the people to elect by their free vote a popular legislature and a popular Government.

## **AZAD KASHMIR GOVERNMENT INAUGURATED ON, 24<sup>TH</sup> OCTOBER, 1947:**

Government of Azad Kashmir was inaugurated on the 24<sup>th</sup> October and Sardar Mohammad Ibrahim Khan was elected President. He was considered most suitable. Firstly, he was highly educated, with a Degree in Law from the London University, had extensive experience in the State service, was an elected member of the State Legislature and had the firm backing of the Kashmir



Muslim Conference. Chaudhury Ghulam Abbas, the President of the Muslim Conference was in Jail. Those were the most crucial times in the history of the State where Muslims were facing annihilation. Muslims were now fighting a battle of survival and engaged in Jihad. Jihad is the Roll Call of honour which is obligatory for every Muslim. Muslims participate in Jihad not for fame and fortune but out of their total commitment to faith for the honour and defence of the Umma (the spiritual concept that all the Muslims of the world are one unified body). The call for Jihad reverberated throughout the tribal area and one should

not be surprised if they answered the call with the customary passion.

The President elect, Sardar Mohammed Ibrahim Khan formed a Cabinet of six eminent Kashmiris:-

1. Syed Ahmed Ali Shah; A retired officer of the J&K Army was given Defence.
2. Mir Waiz Mohammed Yusuf Shah; Education.
3. Khwaja Sanaullah; Civil Supplies & Development.
4. Khawaja Ghulam Din Wani; Law.
5. Ch. Abdullah Bhalili; Revenue.
6. Pir Ziauddin; Education.

Mr. A.H. Suharwardy Asstt. Secretary (is a brilliant writer and author of 'Tragedy in Kashmir' who had been an active and dedicated member of the Muslim Conference.

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## ***Jammu massacre: an eyewitness recalls***

*Umar Shah*

Bloodbath are not alien to Kashmir perturbed past- they are the inseparable part of it. One such scene of carnage of innocents was witnessed in the same year when India got independence from British is the Massacre of Jammu that took place on November 6, 1947. This day, every year, is observed as a black day in Kashmir for on that fateful day Muslims in hundreds of thousands were killed with an attempt to change state's demography. Join us on Facebook here Ved Bhasin, a veteran journalist who has been the witness to several turning points in the politics of Jammu and Kashmir, and started Kashmir Times in 1954 and remained its editor for more than four decades. In one of his interviews to Rising Kashmir before his demise, he narrated that the riots at that time were organised and planned by the rulers with the support of RSS and other organisations. He said in the interview that during riots, Maharaja's Prime Minister Mir Chand Mahajan invited minority leaders from communal parties and National Conference. "We met at Maharaja's palace. I was in the meeting as a representative of students." Bhasin says that there were some prominent names like Trilok Chand

Dutt, Girdhari Lal Dogra and Om Saraf. Mahajan told us that power was being transferred to the people of J&K and that Hindus and Sikhs should demand parity. Om Saraf replied to him saying how parity could be demanded when there was so much difference in the Hindu and Muslim population. Mahajan pointed at a forest area down the Maharaja palace, where some Gujjars had been killed recently, and said population can also change. According to him when Jammu city was placed under curfew, Muslims were not allowed to come out of their houses while Hindus were moving freely. Convoys of RSS men used to start from the Praja



Parishad chief Prem Nath Dogra's House in Kacchi Chawni. They were armed and moving freely from lane to

lane, massacring people. "The then Governor of Jammu, Chet Ram Chopra called me and told me if I were not his relative, he would have got me arrested. He told me to stop talking of communal amity," Bhasin said. However, Bhasin says that there was communal amenity in Kashmir at the time when Muslims in Jammu were being massacred. "Not a single Hindu (Kashmiri Pandit) was touched despite they being a microscopic minority." What happened on Nov 6, 1947 Lakhs of Muslims in Jammu on November 06, 1947 while migrating to the newly formed state Pakistan were attacked and the carnage carried by the extremist groups killed around 3 lakh people including women and children. British daily The London Times quoting its special correspondent in India stated that the Maharaja, under his own supervision, got assassinated 2, 37,000 Muslims, using military forces in the Jammu area. The editor of Statesman, Ian Stephen, in his book Horned Moon writes that till the end of autumn 1947, more than 200,000 Muslims were murdered in one go. Horace Alexander wrote in the Spectator (16 January 1948) that the killings had "the tacit consent of State authority" and he puts the figure at 2, 00,000. One of the eye witnesses to this incident, Abdul Qayum Qureshi, recalled that there was a big ground where refugees were camping. Volunteers were guarding them, but

everybody lived in a state of fear. The extremists and Dogra soldiers had besieged the area but they did not dare to enter inside. Muslim volunteers led by a former army official Captain Naseer-u-din defended the camp bravely. "Meanwhile a fresh group of refugees arrived but the ground was full so they were accommodated in an empty Haveli (a mansion). But the killers had taken positions in a trench close to the Haveli. And when people entered the Haveli premises, the killers started indiscriminate firing, but the Muslim volunteers fought back. Then a Dogra official, Chetan Chopra, arrived with the message that he wanted to talk to Captain Naseer-ud-

din. Around 4 PM Captain Naseer returned saying the administration has announced a ceasefire and assured that the violators will be punished," Qureshi recalled. According to him the ceasefire continued for seven days but the situation remained tense. On 5 November Muslims were asked to assemble in the police lines Jammu. "I remember about 26 trucks and buses were present in the police grounds. People were ordered to board the vehicles so that they could be driven to Pakistan via Sialkot border. The Dogra officials circulated a rumor that these vehicles have reached Pakistan. We had absolutely no idea that they were butchered in the Kuthwa and Samba forests." Qureshi says that on 6 November a caravan of refugees in buses and trucks was driven towards the border area. "I was also part of this caravan. But after half an hour drive the entire caravan



was turned towards Bisna. Around 11 AM all of us, about 6000, were dragged out of the buses. Then they fired at us indiscriminately. The bloodbath continued for nearly three hours; like other people I took refuge in a canal," he said. Qureshi recalls that people hid under thorny bushes and wherever they could. At 3 PM the Dogra officials asked the survivors to come out hiding so that they could be driven to safe places. "Having no alternative we came out, and fortunately on the directives of Sheikh Muhammad Abdullah we were later shifted to a refugee camp in Jammu. Only 250 had survived. My father was in the Valley and my two brothers were in Mirpur," he said.

# BLOODIED RIVERS OF KASHMIR

## Jammu Massacre 1947

In 1947, Muslims were in a 61 per cent majority in the Jammu province. Horace Alexander wrote in the Spectator (January 16, 1948) that the killings had "the tacit consent of State authority" and put the figure at 200,000. On August 10, 1948, The Times (London) published a report by "A Special Correspondent", an Indian Civil Service official who had served in the State. He wrote: "2,37,000 Muslims were systematically exterminated unless they escaped to Pakistan along the border by all the forces of the Dogra State, headed by the Maharaja in person and aided by Hindus and Sikhs. This happened in October 1947, five days before the first Pathan invasion and nine days before the Maharaja's accession to India." India was, therefore, not responsible one bit. Hari Singh was, personally. Between 1941 and 1961, the Muslim population of Jammu fell from 61 per cent to 38 per cent. Sheikh Abdullah wrote: "There was enacted in every village and town through which he [Hari Singh] passed an orgy of arson and loot and murder of Muslims. In Jammu the killing of Muslims all over the province continued unabated for weeks under his very nose. In an article entitled "Being Muslim in Jammu", Zafar Chaudhary writes: "There was hardly any family in the region which escaped" it. Those "events permanently changed the way the Muslims of Jammu would live or think" (Economic & Political Weekly; August 23, 2008). Some decided to make peace with the BJP agitators. The BJP's State president, Ashok Khajuria, said at a press conference on July 26: "Muslims vacate your houses... I am warning you... else, Jammu people are ready to throw you out." On November 5 and 6, 1947, more than 100 lorries, loaded with women, children and old men were taken into the wilderness of Kuthua forests. Hindu extremists and armed gangs were let loose on these innocent people and an unparallel butchery was perpetrated, killing thousands of them. Women were raped, molested and their valuables looted. All these bloodsheds were taking place in full view of the Indian army, which had by that time occupied a major part

of the state. In another act of butchery, a large gathering of 25000 Muslims, in Miran Sahib and Ranbir Singhpora, were machine-gunned. During migration to Pakistan in 1947, nearly 300,000 people were massacred in cold British daily "the London Times" wrote on October 10, 1947 in a report from its special correspondent in India that the Maharaja, under his own supervision, got assassinated 237,000 Muslims, using military forces in Jammu area. The editor of "Statesman" Ian Stephen, in his book "Horned Moon" wrote that till the end of autumn 1947, more than 200,000 Muslims were assassinated.

The 1947 carnage left several Muslim majority populated villages in Jammu district alone totally Hindu or Sikh populated. In Jammu district alone, which is a part of the larger Jammu province, Muslims numbered 158,630 and comprised 37 per cent of the total population of 428,719 in the year 1941. In the year 1961, Muslims numbered only 51,693 and comprised only 10 per cent of the total population of 516,932. The decrease in the number of Muslims in Jammu district alone was over 100,000. That there was a design to change the demographics is demonstrated by another incident. Prime Minister of Jammu and Kashmir, Mehr Chand Mahajan told a delegation of Hindus who met him in the palace when he arrived in Jammu that now when the power was being transferred to the people they should better demand parity. When one of them associated with the National Conference asked how they could demand parity when there was so much difference in population ratio. Pointing to the Ramnagar natural reserve below, where some bodies of Muslims were still lying, he said, "the population ratio too can change."

According to official records of the United Nations Security Council, Meeting No. 534, March 6, 1951: "Shortly after the terrible slaughters in India, which accompanied Partition, the Maharaja set upon a course of action whereby, in the words of the special correspondent of The Times of London published in its issue of 10 October 1948, "in the remaining Dogra area, 237,000 Muslims were systematically exterminated, unless they escaped to Pakistan along the border, by all the forces of the Dogra State headed by the Maharaja in person and aided by Hindus and Sikhs"."

# “JAMMU MASSACRE 06 NOVEMBER, 1947 AND MASS MIGRATION TO PAKISTAN”

It is one of the least known genocides in modern history. It was carried out with such a precision that it is difficult to find its traces, except in the memories of the survivors, and the tales of horror they passed on to their next generations. Around 500,000 Muslims were killed with military precision. It was such an operation that language lacks words to express this offence of demolition of human being.

Though the targeted killing had already started in Jammu around mid July 1947, the operation got a fillip immediately after a fleeing Maharaja Hari Singh and his wife reached Jammu on 26 October 1947. An organised carnage was orchestrated to kill Muslims, wherever found or spotted in Jammu.

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The Hindu Dogra ruler's main aim was to change the demographic composition of the region by eliminating the Muslim population. Such was the intensity of carnage that in Jammu province about 123 villages were 'completely depopulated'. Kathua district 'lost' almost fifty per cent of its Muslim population. Thousands of Gujars were massacred in mohalla Ramnagar. Village Raipur, within Jammu cantonment area was completely burnt down. The Dogra State troops were at the forefront of attacks on Muslims. The State authorities were also issuing arms not only to local volunteer organizations such as the RSS, but also to those in surrounding East Punjab districts such as Gurdaspur.

The State administration had not only demobilised a large

number of Muslim soldiers serving in the state army, but Muslim police officers had also been sent home. In the



Jammu city, the Muslim military were disarmed and the Jammu cantonment Muslim Brigadier replaced by a Hindu Dogra officer. Muslims seeking refuge in police stations and Deputy Commissioners' offices were openly handed over to RSS beasts by the Dogra officers themselves.

Meanwhile, Maharaja of Patiala was not only supplying weapons but also a Brigade of Patiala State troops were operating in Jammu and Kashmir, without whose help and assistance, the objective could not have been achieved with such precision. The Times of London reported the events in Jammu with such a front page headlines: “Elimination of Muslims from Jammu”, and pointed out that Maharaja Hari Singh was “in person commanding all the forces” which were ethnically cleansing the Muslims.

That there was a design to change the demographics is evidenced by another well-reported incident. Prime Minister of Jammu and Kashmir, Mehr Chand Mahajan, upon arrival in Jammu told a delegation of Hindus, which met him in the Palace, that now when the power was being transferred to the people they should better demand parity. When one of the delegation members

wanted to know how that was possible, Mahajan, pointing to the Ramnagar natural reserve below, where Muslim corpses were still lying said, “the population ratio too can change” like that (“Elimination of Muslims from Jammu” II, The Times, London, 10 August 1948, page 5. See also Ved Bhasin's interview to Kashmir Life).

Both documentary and oral sources suggest that the crime committed on the Muslims was nothing less than

in an open ground, to be sent to Pakistan, herded in trucks like cattle and killed mercilessly with machine gun fire between the Digiana and Samba belt. Women were abducted and raped. Even the daughter of the legendary Chaudhary Ghulam Abbas was not spared. Many women preferred death than falling prey to the cruel beasts who wouldn't tire calling themselves as secular people.

On the ground, the killing operations were organized,



an organized holocaust. Sheikh Mohammed Abdullah, who was appointed “Chief Emergency Administrator” on 30 October 1947 could not prevent the carnage. He writes in his autobiography *Atish-e-Chinar* (page 312) that the carnage got impetus after the arrival of Union Home Minister Sardar Patel, Union Defence Minister Baldev Singh along with the Maharaja of Patiala, a person known for his anti-Muslim bias, in Jammu. The trio met various Hindu organizations and delegations, after which the massacre attained a great momentum. Hindu fanatics, aided and abetted by government forces, started burning down village after village inhabited by Muslims. Women were raped at will. Weapons were distributed freely to marauders from the Kachi Chawni house of Pandith Prem Nath Dogra and motivated by Balraj Madhok.

On 6 November surviving Muslims were told to assemble

directed and supervised by Maharani Tara Devi in league with her debauch Guru Sat Dev and the governor of Jammu, Chet Ram Chopra. At the politico-administrative level, Sheikh puts the blame solely on the Dogra ruler Hari Singh and Prime Minister Mahajan. At one point of time, Sheikh had even thought of initiating action against the duo for crimes against humanity (*Atish-e-Chinar*, page 331). But why didn't he translate his thoughts into action remains shrouded in mystery. Did he surrender this right before Sardar Patel as quid pro quo for prime ministership, which came his way in March 1948? As is generally known, the government of India and the Dogra ruler were only interested in conceding him a limited role in a “Mysore type of government”. But later this plan was changed and Sheikh was offered full-fledged prime ministership. Or was it a result of coercive pressure applied by Patel on Abdullah to imprison his close relative

Caught red-handed of theft of valuable jewellery in Maharaja of Indore's (known as Holkars) palace where he was employed?

The other aspect of the carnage was appropriation of properties of Muslims. The Muslim names were immediately erased to conform to new ownership. For instance Urdu Bazar became Rajinder Bazar and Islamia School became Hari Singh High School to conform to the new "ownership". Almost 95 percent of left-over properties, which should have in the normal course been taken over by the State government were allowed appropriated by looters and rioters (Daily Telegraph of London dated 12 January 1948).

These properties continue to be under the illegal occupation of looters and their descendants and it is precisely for this reason that the Resettlement Bill faces a stiff opposition in Jammu fearing vacation of such properties under a due process of law. Even Indira Gandhi expressed such fears in Jammu in her 1983 election campaign.

Another incident needs a mention here. When Hindu refugees from Muzaffarabad and surrounding areas reaching Kashmir desired to be sent to Jammu or Punjab, local Muslims motivated Kashmiri tongawallas (horse-cart drivers) to transport them to Jammu against heavy odds. Initially 22 tongawallas were hired. They were later joined by many others from the Khannabal-Qazigund rural belt. On return all these poor tongawallas numbering around 90 were massacred near Nagrota. Their only fault was that they made Hindu refugees to reach their destinations safely. What makes this holocaust unique is the complicity of State on the one hand and the exemplary treatment of Kashmiri Muslims to its minorities on the other hand, given the grave provocation of Jammu genocide. Mohandas Karamchand Gandhi was so disgusted with the carnage that on two occasions (27 November and 25 December, 1947), he made mention of it in following words:

"The Hindus and Sikhs of Jammu and those who had gone there from outside (referring to RSS goons from

Gurdaspur and surrounding areas) killed Muslims there. Their women have been dishonored. This has not been fully reported in the newspapers. The Maharaja of Kashmir is responsible for what has happened there" (Collected Works of Mahatma Gandhi, volume 90, page 115 and 298).

It is no wonder, then, that when Gandhi was killed by an RSS supported Hindu fanatic, sweets were distributed throughout Jammu in special thalis supplied from the Maharaja's Palace.

But there have been some valiant efforts on the part of a few Hindus also who tried to save the caged Muslims in Jammu those days. The names of Krishen Dev Sethi, Ved Bhasin etc. top that list. But such instances have been few and far.

#### Horrific Stories of survivors

Rashid's father, brothers, sisters, wife, and a son were slaughtered. Malik Abdul Rashid, a survivor from Reasi, currently settled in Rawalpindi, says he was 22-year old when the carnage happened.

"Men, women, children were killed in the cruelest manner, maimed, intimidated. The carnage continued for several days. I lost my father, brothers, sisters, wife, and a son," Rashid said. "I lost all my dears; the genocide has haunted me all my life," he said.

On 4 November 1947, when Dogra troops entered Reasi, two highly esteemed citizens of the town, Khwaja Amkullah and Chaudhary Aziz-u-Din rushed to the office of then Deputy Commissioner Thakur Gavinder Singh, complaining against the entry of the troops when Peace Committees, comprising Hindus and Muslims, were already in place to maintain peace. Both of them were shot dead in the office. "People were mowed down with machine guns and swords during the night. And those who had survived were assembled in a field where they were put to death. Some women who escaped jumped into Chinab river to save their honour," Rashid recounts "Khwaja Ali Muhammad of Bhadarwah who was performing his duties as a public prosecutor at Reasi went to a police station to save his life, but the duty officer,

a Dogra, handed him over to the RSS men. They dragged him out and tortured him so much that he begged them to kill him than torture him. But the barbarians cut his fingers one by one and told him 'we will send your fingers to Pakistan'. He was killed near the court premises in broad day light," Rashid said.

Rashid said Maharaja Hari Singh orchestrated the carnage to eliminate Muslims from Jammu. "Muslims were not even allowed to have weapons for self defense, but Maharaja distributed arms to the marauders of his community," he said, adding the killers were trained and armed in RSS camps for the genocide.

He said that Maharaja Hari Singh who fled from Srinagar to Jammu on 26 October 1947 ordered his troops to kill

taken into the wilderness of Kathua forests where Hindu extremists and armed gangs butchered them like chickens."

### **'MY 3 SISTERS WERE ABDUCTED, TWO WERE RECOVERED, SURAYA IS STILL MISSING'**

Another Kashmiri migrant from Jammu, Muhammad Khan Naqashbandi, said that his mother was killed and three sisters were abducted by the marauders while they were traveling to Pakistan.

Two of his sisters were recovered, but the youngest sister Suraya was still missing. Teary eyed Khan said, "My sister is still missing and I don't know whether she is alive or dead. I survived because I was studying in Lahore when the carnage occurred. No Muslim can forget that



Muslims everywhere.

"The carnage started in remote villages, and many Muslims fled to towns and district headquarters. But the killers were everywhere. Hundreds of Muslims committed suicide to avoid torture," he said. The killers kidnapped the daughter of legendary leader Chaudhary Ghulam Abbas, the prominent leader of Muslim Conference. Mistari Ahmed-u-Din hailing from Mast Garh Mohalla of Jammu himself killed his two daughters fearing the Hindu marauders would rape them.

On 4 November Muslims who had escaped slaughter were asked to assemble in a ground near police station in Jammu so that they would be driven to Pakistan in buses. On November 5 and 6, 1947, scores of buses, trucks and lorries, loaded with women, children and old men were

genocide." Naqashbandi said the slaughter was well planned and rehearsed to prevent people from acceding to Pakistan. Muslims were slaughtered at Maveria near Samba on November 5 and the next day carnage was carried out near cantonment in Satvari.

### **'OUT OF 6000, 250 SURVIVED'**

Abdul Qayum Qureshi, a witness of the genocide, hails from Dalpatian Mohalla of Jammu. Qureshi told this scribe that the blood-bath of Muslims in Jammu province had started several weeks ago but the hunt against Muslims intensified when frustrated Maharaja of the state entered into Jammu on 26 October 1947 and ordered his troops to kill Muslims wherever they can be found. Mohalla Dalpatian was a Muslim majority area where thousands of Muslims from other areas had taken shelter.

“There was a big ground where these refugees were camping. Volunteers were guarding them, but everybody lived in a state of fear. The extremists and Dogra soldiers had besieged the area but they did not dare to enter the area. Muslim volunteers led by a former army official Captain Naseer-u-din defended the camp bravely,” Qureshi said. Qureshi narrated the horrors thus:

“Meanwhile a fresh group of refugees arrived but the ground was full so they were accommodated in an empty Haveli (a mansion). But the killers had taken positions in a trench close to the Haveli. And when people entered the Haveli premises, the killers started indiscriminate firing, but the Muslim volunteers fought back. Then a Dogra official, Chetan Chopra, arrived with the message that he wanted to talk to Captain Naseer-ud-din. Around 4 PM Captain Naseer returned saying the administration has announced a ceasefire and assured that the violators will be punished. The ceasefire continued for seven days but the situation remained tense. On 5 November Muslims were asked to assemble in the police lines Jammu. I remember about 26 trucks and buses were present in the

police grounds. People were ordered to board the vehicles so that they could be driven to Pakistan via Sialkot border. The Dogra officials circulated a rumor that these vehicles have reached Pakistan. We had absolutely no idea that they were butchered in the Kuthwa and Samba forests.

On 6 November a caravan of refugees in buses and trucks was driven towards the border area. I was also part of this caravan. But after half an hour drive the entire caravan was turned towards Bisna. Around 11 AM all of us, about 6000, were dragged out of the buses. Then they fired at us indiscriminately. The bloodbath continued for nearly three hours; like other people I took refuge in a canal. People hid under thorny bushes and wherever they could. At 3 PM the Dogra officials asked the survivors to come out hiding so that they could be driven to safe places. Having no alternative we came out, and fortunately on the directives of Sheikh Muhammad Abdullah we were later shifted to a refugee camp in Jammu. Only 250 had survived. My father was in the Valley and my two brothers were in Mirpur.”

## MURDER, RAPE AND SHATTERED FAMILIES: 1947 PARTITION ARCHIVE EFFORT UNDERWAY

Sept. 19, 1947: Muslim refugees sit on the roof of an overcrowded coach railway train near New Delhi in trying to flee India. Millions of Muslims migrated from India to Pakistan. Partition marked a massive upheaval across the subcontinent. Hindus living for generations in what was to become Pakistan had to flee their homes overnight. AP/file

LAHORE: Sitting in his office while students stroll by under leafy shade trees and rickshaws tut-tut on a nearby road, Khawaja Muhammad Zakariya thinks back to a tumultuous time decades ago when his country was violently split in two: the partition of India.

His father hurried home one day, telling his young son they had to gather up their money and jewelry and leave their Muslim neighborhood immediately for an uncle's

house across town.

“The day we moved ... that area was attacked, and many were killed and injured but we had left about two hours before,” Zakariya said, recalling the violence-plagued months leading up to partition.

The family later left Amritsar for good, taking only the valuables they could carry, joining other families on packed trains to Lahore.

The retired professor of Urdu literature in his mid-70s spoke from his office at Punjab University in Lahore, just 50 kilometers (30 miles) from the Indian city of Amritsar. He was relaying his life history to a volunteer from The 1947 Partition Archive.

Sept. 19, 1947: Muslim refugees sit on the roof of an overcrowded coach railway train near New Delhi in trying

to flee India. Millions of Muslims migrated from India to Pakistan. Partition marked a massive upheaval across the subcontinent. Hindus living for generations in what was to become Pakistan had to flee their homes overnight. AP/file



The archive is a massive effort to collect stories from people who remember the 1947 split of the subcontinent, often referred to as the largest mass migration in history.

The generation that still remembers the birth of modern India and Pakistan are now elderly men and women, and it's a race against time to record as many stories as possible. "That segment of the population is disappearing really, really fast," said Guneeta Singh Bhalla, the Berkeley, Calif.-based executive director and driving force of the archive, speaking by telephone. "Within the next five years the vast majority of what's remaining is going to be gone."

Partition marked a massive and bloody upheaval.

Hindus living for generations in what was to become Pakistan had to flee their homes overnight.

At the same time, millions of Muslims abandoned their homes to cross the border into Pakistan.

A man looks at pictures regarding the history of Pakistan's independence, displayed at a museum in Lahore, Pakistan. Partition marked a massive upheaval

across the subcontinent. Hindus living for generations in what was to become Pakistan had to flee their homes overnight. AP

The hastily-arranged partition of the subcontinent into India and Pakistan was brokered by the departing British

colonialists.

Months of violence preceded the partition announcement, often whipped up by politicians or various religious and political groups jockeying for power. In the chaotic days and months following the August independence of India and Pakistan, violence multiplied as religious sentiment intensified and there was little in the way of police or military to maintain order.

There are no exact numbers of people killed and displaced, but estimates range from a few hundred thousand to two million killed and more than 10 million displaced.

Bhalla's interest in oral histories was sparked by a visit to a memorial in Hiroshima featuring similar work.

She began recording stories of survivors she knew in the US until there were so many people wanting to tell their story she recruited more volunteers.

Eventually she created a non-profit organization in 2011 devoted to tracking down survivors and recording their stories.



She quit her job in December 2012 and now devotes all her time to the archive, based out of offices at U.C. Berkeley. So far, their contributors have collected more than 2,000 oral histories from partition survivors.

Prakhar Joshi, left, asks a question to 86-year old Desh Raj Kalra during an interview at his residence in New Delhi, India. Joshi has spent the last 15 months crisscrossing the country interviewing about 150 people to record oral histories including the partition of India. Often, this means listening to extremely personal stories of murder, rape and shattered families. AP

They want to have 10,000 by 2017, she said. In a sign of how far people traveled after partition, Bhalla has received stories from nine countries and in 10 different languages. Her own family migrated from Lahore to India during partition but emotional ties to the family's old hometown are strong:

"I still know their addresses."

In India, Prakhar Joshi has spent the last 15 months crisscrossing the country interviewing about 150 people.

86-year old Desh Raj Kalra talks with Prakhar Joshi, right, at the end of an interview at his residence in New Delhi, India. Joshi has spent the last 15 months crisscrossing the country interviewing about 150 people to record oral histories including the partition of India. Often, this means listening to extremely personal stories of murder, rape and shattered families. AP

Often, this means listening to extremely personal stories of murder, rape and shattered families.

While every person he interviewed had their own version of displacement, some stories left Joshi distraught for weeks. He recalled a 76-year old man in New Delhi who

was an eight-year old boy in a refugee camp on the Indian side of the border in the days when violence was at its height. "One of the camp leaders handed out sticks and other weapons to the men. And small spears to the young boys in the camp," Joshi said.

The man told Joshi they were ordered to kill anyone younger than them.

After almost 68 years, Joshi said, the man still has trouble sleeping thinking about the children he killed. "When I started collecting stories, my first few stories were very traumatic. They shook me to the core. I knew riots had happened, but I never knew the scale of the savagery," Joshi said. Not every story is so horrific although partition seems to have left a lasting memory for most.

Desh Raj Kalra was 18 when his family left behind their sprawling house and grain trading store in Pakistan. He remembers a childhood where Hindus and Muslims lived together amicably.

But one day the village chief, who was Muslim, told them he'd heard reports of violence and that they should leave. "We thought we would be back in 10 to 15 days so we left everything behind. My grandfather told us: governments may change but people will never change. But it's been 68 years now. None of us ever went back. And now I am too old to make the journey," he said.

The interviewers don't just ask about partition itself.

Armed with an extensive questionnaire, volunteer Umair Mushtaq talked with Zakariya, the retired professor, for three hours.

They discussed Zakariya's memories of flying kites as a young child, watching wrestling matches, his family's struggles as refugees in Pakistan, and Zakariya's university studies and marriage.

Eventually, Bhalla said, the archive would like to have a physical space where people can hear the histories and learn more about partition.

Zakariya said he's glad there's a project like this to make the stories available for future generations. "Even my children, they put many questions to me about partition," he said.

## Report

### *Karwan-e-Haq-e-Khudlradiat*

On 24<sup>th</sup> October, 2018 On the 71<sup>st</sup> Foundation Day  
of

## AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR

By: Babur Bashir Awan

The University of Azad Jammu and Kashmir and Jammu Kashmir Liberation Cell jointly organized a great event on the eve of Foundation day of Azad Government of the state of Jammu and Kashmir on October 24, 2018.

### Theme of the Event

The Azad Government of the state of Jammu and Kashmir was established on October 24, 1947 with the selfless and



untiring efforts of our ancestors who are the real founding fathers of this liberated territory called as Azad Jammu and Kashmir. This government is the revolutionary and representative government of the entire erstwhile state of Jammu and Kashmir and has great responsibility towards the conflict of Jammu and Kashmir. The foundation day of this Azad Government is the day to reiterate our firm resolve and commitment to highlight the consistent patterns of the past and ongoing violations of human rights in IOK and to make effective efforts for the attainment of right to self determination.

The conflict of Jammu and Kashmir is a long standing conflict that has local, regional and global dimensions. The people of erstwhile state of Jammu and Kashmir are the primary party to the conflict and they have been struggling and offering unprecedented sacrifices for the basic, fundamental and inalienable right to self-determination in accordance with the



United Nations Security Council Resolutions as well as the established principles of the International Law.

India has been endeavouring to sabotage the promised and agreed upon implementation of UN's Resolutions in IOK through different ulterior measures and unlawful strategies. Nowadays, India has launched a new conspiracy to abrogate the Article 35A through the Judicial Invasion conspired by Indian Supreme court and Central Government of India. Article 35A is very important for the survival and very existence of IOK as it prevents the non-state subjects to purchase land & get settled and also to obtain scholarships and other government's sponsored aids in IOK. The abrogation of Article 35A of the Constitution of India would cause massive demographic changes in IOK and this is the real conspiracy to convert the Muslims majority into minority and also to economically, socially and culturally exploit and manipulate the people of IOK. Moreover, these nefarious designs and ulterior motives of India are aimed to sabotage the scope of the implementation of UN's resolutions on the Jammu and Kashmir through demographic changes and eventually dilute and internally manage the Conflict of Jammu and Kashmir.

The University of Azad Jammu and Kashmir, being the leading University of Azad Jammu and Kashmir is going to organize a great debate in collaboration with the Jammu and Kashmir Liberation Cell to discuss the Indian conspiracy to

abrogate the Article 35 A in the backdrop of the Conflict of Jammu and Kashmir vis a vis emerging global perspectives and regional developments The students from all the Universities of AJ&K, Intellectuals, Scholars and Politicians will participate in this debate to critically analyze all the dimensions of the conflict of Jammu and Kashmir.

### Objectives

Following were the objectives of the event:

- To provide a forum to the students of all the Universities of AJ&K to discuss the role of the Founding Fathers in establishing the Azad Government of state of Jammu and Kashmir.
- To create awareness among the students and the faculty members about the nature and scope of Article 35 A and to analyze the historical, contemporary and future perspectives of the Article 35 A and its possible abrogation.
- To logically and rationally discuss the various dimensions of the conflict of Jammu and Kashmir and to explore the possible way forward in the emerging global perspectives.

PROGRAMME	
11:00-11:15	Guests/Participants take seats
11:15-11:20	Recitation
11:20-11:25	National Anthems (Pakistan & Azad Jammu & Kashmir )
11:25-11:40	Welcome Note by the Secretary, Jammu and Kashmir Liberation Cell
11:40-11:55	Welcome address by the Vice Chancellor, The University of Azad Jammu & Kashmir, Muzaffarabad
11:55-12:20	Keynote Address by H.E. Muhammad Masood Khan, Chancellor, The University of Azad Jammu & Kashmir/ President, Azad Jammu & Kashmir

SESSION-1	
FOUNDING FATHERS OF AZAD JAMMU & KASHMIR: VOICE OF YOUTH	
12:20-12:25	Women University of AJ&K, Bagh
12:25-12:30	University of AJ&K, Muzaffarabad
12:30-12:35	Mirpur University of Science & Technology, Mirpur
12:35-12:40	The University of Poonch, Rawalakot
12:40-12:45	University of Kotli

SESSION-2	
ABROGATION OF ARTICLE 35-A IN IOK: CHALLENGES AND WAY FORWARD	
Chair: Ambassador Arif Kamal	
12:50-13:00	Mr. Adnan Rehman, Coordinator, Department of Law, UAJ&K, Muzaffarabad
13:00-13:10	Raja Muhamamd Sajjad Khan , Ph.D (Scholar), Director, J&KLC
13:10-13:20	Dr. Asma Shakir, National Defence University, Islamabad
13:20-13:30	Dr. Idrees Abbasi, Secretary to the Govt of Azad Jammu & Kashmir
13:30-13:40	Prof Dr. Muhammad Khan, International Islamic University Islamabad
13:40-13:50	Prof Dr Maqsood Jaffery, Renowned Intellectual
13:50-14:05	Question/ Answer Session
14:05-14:15	Wrap up by the Chair
14:15-15:00	<b>Break (Lunch &amp; Prayer)</b>

**SESSION-3****CONFLICT OF JAMMU & KASHMIR IN EMERGING GLOBAL PERSPECTIVES: A WAY FORWARD****Chair: Ghulam Muhammad Safi, Convenor APHC**

15:10-15:20	Abdul Rashid Turabi, Jamaat e Islaami (JI)
15:20-15:30	Sardar Khalid Ibrahim, Jammu & Kashmir Peoples Party
15:30-15:40	Chaudhary M. Rasheed , Pakistan Peoples Party
15:40-15:50	Khwaja Farooq Ahmed ,S.V. President, Pakistan Tehreek ilnsaaf
15:50-16:00	SardarAttique Ahmed Khan, President, All Jammu & Kashmir Muslim Conference
16:00-16:25	Question/Answer Session
16:25-16:35	Wrap up by the Chair
16:35-16:45	Conference recommendations by Barrister Afzal Hussain, Coordinator to President AJK
16:45-17:10	Speech by H.E. Raja Muhammad FarooqHaider Khan, Prime Minister of Azad Government of the State of Jammu & Kashmir
17:10-17:20	Souvenir Distribution Ceremony
17:20-17:25	Group Photo
17:15	<b>Refreshment</b>

**HUMAN RIGHTS VIOLATIONS IN IOK****(From Jan 1989 till Oct 31, 2018)**

<b>Total Killings *</b>	<b>95,186</b>
<b>Custodial Killings</b>	<b>7,120</b>
<b>Civilian arrested</b>	<b>145,173</b>
<b>Structures Arsoned/Destroyed</b>	<b>109,157</b>
<b>Women Widowed</b>	<b>22,890</b>
<b>Children Orphaned</b>	<b>107,740</b>
<b>Women gang-raped / Molested</b>	<b>11,107</b>

### **Sacrifices of the people kept the Kashmir dispute alive: Masood Khan**

Brooklyn, New York: India's belligerent signaling in the



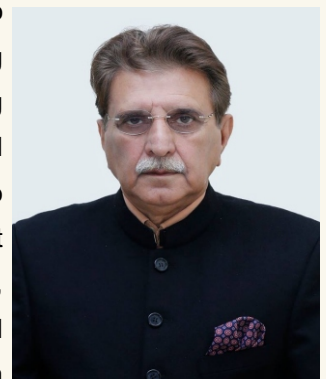
recent days forebodes a new wave of Indian sponsored state terror and atrocities in the Indian Occupied Kashmir (IOK). This must be stopped at all costs. India's irresponsible rhetoric will neither intimidate Pakistan nor

deter Kashmiris from pursuing their struggle for freedom and self-determination. On the contrary, such threats strengthen the resolve the people of Jammu and Kashmir to continue to fight for their just cause," said Sardar Masood Khan, President, Azad Jammu & Kashmir while addressing a gathering of Kashmiri and Pakistani Americans in Brooklyn, New York. The President appealed to the UN Secretary General to persuade India to put an end to its atrocious and horrendous human rights violations in Jammu and Kashmir. "India poses a threat not only to its neighbors but also to its own people whose sentiments are being whipped up to participate in a war frenzy," Mr. Khan added. Sardar Masood Khan said "Two things have kept the issue of Kashmir alive for the past seven decades: one, the sacrifices of the people of Kashmir who every day give their blood to attain freedom; and, two, the steadfast position of Pakistan on Kashmir and its steely resolve to continue a peaceful political and diplomatic campaign on Kashmir until Kashmiris under Indian occupation get their fundamental rights." President Khan insisted, "It is our collective responsibility to intensify our quest for peace and security and to find just and lasting solutions for the long festering disputes." Dr. GhulamNabi Fai, Secretary General, World Kashmir Awareness Movement said, "Peace has eluded Kashmir for more than 70 years ever since the partition of British India into India and Pakistan. Reason: The denial of self-determination that has been enjoyed by countless other peoples in comparable circumstances, most recently in

East Timore, Montenegro, Southern Sudan, etc. The uncertainty over Kashmir will lead not only India and Pakistan to disaster but it will also destroy any possibility of bringing peace and stability to Afghanistan, Fai warned. Dr. Fai added that real and tangible strategy needs to be initiated with the firm support of the United Nations. There is not a slightest possibility of resolving Kashmir dispute without the involvement of the third party. There cannot be a better agency than the Secretary General of the United Nations himself to facilitate between India and Pakistan to help resolve the Kashmir dispute. Secretary General has no ambition to assert dominance while as great powers do. Mediation by the Secretary General would be free from the jealousies and the ambitions that characterize individual initiative. The Secretary General will have to remain under no obligation to please any particular set of powers or groups. Yes, there will be resistance from India but if India is impressed with what she would gain by a just settlement of the Kashmir dispute, her negativity may not be insurmountable. The gathering was addressed by Rohail Dar, Sardar Haleem Khan, Sardar Imtiaz Khan, Ahmad Jan, Sardar TajKhan, Sardar Imtiaz Garalavi, Ms. Aamna Habib, SardarSajidSawar Khan, SardarShafi Khan, NasimGilgati and others.

### **Political parties, media should promote Kashmir cause: Farooq Haider**

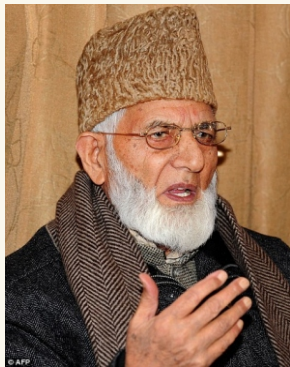
Mirpur: Prime Minister of Azad Jammu and Kashmir (AJK) Raja Farooq Haider Khan has said that the political parties and media need to play active role in promoting Kashmir cause by evolving consensus, unanimous and strong stance. Talking to media persons in district Mirpur of AJK on Monday, Raja Farooq Haider urged the need of evolving an effective strategy on Kashmir taking the Hurriyet leadership into confidence. He said India is misleading world that Kashmir is an issue between India and



Pakistan, ignoring Kashmiris who are the fundamental party of the conflict. Responding to a question, Raja Farooq Haider said India is not allowing fact finding missions, human rights organizations or media teams into the valley.

### **Gilani pays tributes to youth martyred in Islamabad, Sopore**

SRINAGAR : In occupied Kashmir, the Chairman of All Parties Hurriyat Conference (APHC), Syed Ali Gilani has paid glorious tributes to the youth martyred by Indian troops during cordon and search operations in Islamabad and Sopore areas. According to Kashmir Media Service, Syed Ali Gilani in a statement issued in Srinagar said, no day passes without youth being butchered and massacred by the Indian forces. Those fighting for their basic and fundamental rights are labeled as terrorists and gunned down day in and day out, he deplored. The APHC Chairman said that Delhi rulers and their local henchmen should bear it in mind that muscular approach could never force the Kashmiris into submission. Meanwhile, Syed Ali Gilani said that 27th October 1947 was the saddest and blackest day of human history in general and Kashmir history in particular when Indian ruthless army landed in paradise of Kashmir, making it a hell for the last seven decades. He said, "It was this ill-fated day of October 27, 1947 when our long and pathetic days of unrest, slavery and subjugation started. It was on this day when India against all constitutional, legal, moral and democratic norms landed its army in this unfortunate land, putting an end to our civil, social, religious and human liberties." Syed Ali Gilani said that Maharaja Hari Singh had no democratic right, as a head of the state, to call for military intervention at the time when he himself had lost the control and was on run from the valley, facing a revolt from the population against his cruel rule. He questioned how a single person can decide the fate of millions of people when this justification was given by India itself while pleading the cases of Hyderabad and Junagarh as they took control of both by their army but denying the same in Kashmir, defines the imperialistic, biased and



arrogant mindset of the rulers of India.

### **Mirwaiz hails Imran Khan's statement on IOK killings**

Srinagar: In occupied Kashmir, the Chairman of Hurriyat forum, Mirwaiz Umar Farooq, has appreciated the Prime Minister of Pakistan, Imran Khan, for condemning the killings in the territory. According to Kashmir Media Service, Mirwaiz Umar Farooq in a tweet said, "People of Kashmir appreciate Pakistan's concern, but to put an end to the appalling grind of repression and human rights abuses that Kashmiris are suffering at the hands of Indian state urgently requires Pakistan as a party to the dispute to do much more." The Mirwaiz urged India to resolve the Kashmir dispute through dialogue in accordance with the United Nations resolutions and the wishes of the Kashmiri people. Imran Khan In his tweet had expressed his serious concern and condemned the killings of innocent Kashmiris. "I strongly condemn the new cycle of killings of innocent Kashmiris in IOK by Indian forces. It is time India must move to resolve the Kashmir dispute through dialogue in accordance with the UN Security resolutions and the wishes of the Kashmiri people," Imran Khan had written on his twitter handle. The condemnation came after 10 Kashmiri youth were killed by Indian troops in Laroo area of Kulgam district in one single day on Sunday.



### **International community should resolve Kashmir issue: Maleeha Lodhi**

New York: Pakistan's permanent representative to the United Nations Dr. Maleeha Lodhi on Tuesday urged the international community to take concrete and meaningful action to alleviate the sufferings of the Kashmiri people. Taking part in the debate in General Assembly, Lodhi recalled the several unimplemented security council resolutions regarding Jammu and Kashmir issue and reminded the world body of its longstanding obligation in helping to resolve the dispute. She said that Pakistan is ready to negotiate with India on all the matters including Kashmir issue.



## **The AJK University and Kashmir Liberation Cell on Wednesday jointly held a seminar titled “Karvan-e-Haq-e-Khud Iradiyat” to mark the AJK Founding Day.**

MUZAFFARABAD (PID,AJK):Addressing the inaugural session of the seminar AJK President Sardar Muhammad Masood Khan said that India is the world's biggest terrorist country which is also by the UN human rights commission's report. He reiterated that right to self-determination is fundamental and recognized right of people of Kashmir. Despite Indian propaganda UN passed resolutions on Kashmir affirming that future of Kashmir is to be decided only by people of Kashmir, he added. Lauding the courage, determination and steadfastness of people of Kashmir, President said they have been fighting against 700,000 Indian armies, just with stones. Congratulating the people of J&K on the eve of Founding Day he recounted the contributions and services rendered by Ghazi-e-Millat Sardar Muhammad Ibrahim Khan, Ch. Ghulam Abbas, K. H. Khurshid, Sardar Muhammad Abdul Qayyum Khan, Akbar Khan, Hussain Shaheed, Khan of Mang and Khurshid Anwar and said their sacrifices are part of our history.He said this part of Kashmir was freed with unprecedented sacrifices of gallant people who took part in liberating struggle in 1947. The President observed that Kashmir was tripartite issue in which Pakistan, India and Kashmiris were party. He said India

### **People AJK, Pakistan and overseas Kashmiris celebrated the 71st founding day of Azad Jammu and Kashmir.**

MUZAFFARABAD (PID,AJK):Functions and seminars were held all over district headquarters of the state to



mark the day. The central ceremony in this regard was held in the state capital Muzaffarabad where President Masood Khan was chief guest. It was attended Prime

was committing war crimes and genocide in IHK which must be stopped by civilized nations. The youth are being deprived of their vision. He said dialogues with India could not be held while India was engaged in massive human rights abuses, atrocities and tyrannies. He said there was no point for international community to keep quiet after the UN human rights report. He said black laws in IHK must be repealed. Khan also urged the youth to stand united and let the world know what was happening in IHK. He was of the view that University students should write letters to UN regarding state terrorism of India in the held valley.Addressing the seminar VC AJK University Prof. Dr. Kaleem Abbasi said this day is a milestone in the history of Kashmir when armless people liberated this part of Kashmir against all odds. They set up a government and made a dynamic youngman Sardar Muhammad Ibrahim Khan as its President. In stark violation of partition formula India forcibly occupied Kashmir despite its 85% Muslim population. “AJK governments despite their limited resources tried their best to let the world know about illegal and unethical occupation of India over Kashmir” he said. He said people of IHK under most difficult circumstances rose against India for their liberation and did not let the torch of freedom go off.Secretary Liberation Cell Mansoor Qadir Dar also addressed the seminar and underscored the need of raising voice on all forums against quashing of article 35-A by India.

Minister Raja Farooq Haider Khan, ministers Ch. Tariq Farooq, Mohtarma Noreen Arif, Dr. Muhammad Najeeb Naqi, Ch. Muhammad Ishaque, Ch. Javed Akhtar, Raja Abdul Qayyum and MLA Faiza Imtiaz, AJK Chief Secretary Mian Waheed-ud-din, IGP Shoaib Dastagir,

government Secretariesand civiland militaryofficials.

Addressing the function President Masood Khan pledged that we will defend every inch of our State that

was freed after tremendous sacrifices. He said we will bring about changes and development in a way to make it a model state for the world. He said Oct 24 is a cornerstone in Kashmir history when this part of the state was freed from dogras and a government was set up under dynamic leadership of Sardar Muhammad Ibrahim Khan. "This journey will continue until entire Kashmir state was freed from India and acceded to Pakistan. AJK government not only strengthened bonds with Pakistan but also highlighted the Kashmir issue over the globe" he said.

Throwing light on Oct 24 the President said that even one month before creation of Pakistan, Muslims of J&K on July 19, 1947 passing resolution of accession to Pakistan day in the house of Sardar Muhammad Ibrahim Khan gave a clear message to Indian National Congress and dogra rulers that people of Kashmir after partition of subcontinent would decide about their future. But when dogra ruler Harisingh put obstacles on the way of accession to Pakistan the courageous people of this region stood up in revolt and forced the dogra ruler to flee.

Masood Khan noted that Pakistan and India were freed 71 years back. Many states of South and Central Asia were given freedom since then but two third of Kashmir state is still under the subjugation of India. "Hundreds and thousands Kashmiris have laid down their lives for the sake of freedom. India has been committing all sorts of brutalities and savagery against Kashmiris in IHK

that goes unnoticed by international community" he pointed out.

Addressing the function Prime Minister Raja Farooq Haider Khan felicitated the people of J&K on their founding day. He admired the heroic struggle of people of Kashmir who have been up against a mighty power for their right to self-determination. He also paid tributes to martyrs of liberation struggle and ghazis whose sacrifices resulted into creation of AJK. He said despotic government of dogra forced people of AJK to stand up against them and liberate this region. Mr. Haider also paid tributes to the sacrifices of tribal force that came to liberate the entire state of Jammu and Kashmir in 1947. "We have to remember the sacrifices of those people who laid down their lives and let us breathe in a free atmosphere" he said.

He recalled the incident of July 13, 1930 when 22 Muslims were martyred in front of Srinagar's central jail to complete "Azan". The Premier assured people of IHK that people of liberated part are firmly standing behind them in their just struggle for liberation. He said people of Kashmir linked their future with Pakistan even before creation of the country and they have been sacrificing their lives even today holding the Pakistan flag high in the valley. All this shows their love and spiritual attachment with Pakistan.

He said when India failed to curb and stifle the voice of Kashmiri Muslims for liberation it started the other ploy of changing the demography of Kashmir. The PM drew the attention of international community to take notice of all what is happening in Occupied Kashmir.

### **One day workshop on "Effective E- Communication Skills"**

Jammu & Kashmir Liberation Cell has organized one



day workshop in Women University Bagh on October 2, 2018. The Vice Chancellor Women University Bagh Dr. Muhammad Haleem Khan was chief guest in certificate distribution ceremony. In Poonch University Rawlakot

workshop was conducted on October 16, 2018, the Vice Chancellor Poonch University Rawlakot, Emirates Professor Rasool Jan presided the certificate distribution



ceremony, whereas Secretary Jammu & Kashmir Liberation Cell Mr. Mansoor Qadir Dar was chief guest. The basic aim of these workshops to aware the students about E-communication skill, International Human Rights,



Humanitarian Law, UN Human Rights Complaints Mechanisms, Complaints Mechanisms under various convention of Human Rights, Communication Mechanisms to Report the Crimes against Humanity and HR violations in IOK. The resource persons of the

workshop were Raja Muhammad Sajjad Khan, Director (Admin ) J&KLC, Syed Mudasar Fida Gardezi, Associate Professor Department of Law UAJ&K and Mir Adnan Rahman ,Coordinator Department of Law UAJ&K.

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## MEETING OF POLICY AND RESEARCH FORUM (PRF)

Meeting of Policy and Research Forum (PRF) was held on October 11, 2018 in its office at Rawalpindi under



the chairmanship of the Chairman PRF, Brig® Dr. Muhammad Khan. Participants of the meeting were, Mr. Mansoor Qadir Dar, V. Chairman, Members Syed

Mudasir Gardezi, Dr. Sumera Shafique, Mir Adnan-ur-Rehman, Miss Madiha Shakil, Mr.Umair Pervez, Raja Muhammad Sajjad Khan, Raja Muhammad Aslam Khan, Sarwar Hussain and Sardar Sajid Mehmood Khan. It was

decided that a seminar on UNCHR report will be organized in Mirpur University of Science and Technology.

## MARTYRS OF LAROO AREA OF SOUTHERN KULGAM ON 21-10-2018

1. Zubair Ahmed Lone, son of FarooqAhmad of Awhatoo Kulgam,
  2. Shahid-u l-Islam Tantray, son of Abdul Rashid of Sudershanpora, Wangam, Shopian
  3. Yazil Makroo, son of MushtaqAhmed of Arwani Bijbehara, Anantnag.
  4. Irshad Ahmad Paddar
  5. Zubair Ahmad Lone of Shurat, Kulgam
  6. Talib Maqbool Laway
  7. Mansoor Ahmed Dar of Laroo, Kulgam
  8. Uzai r Ahmad Dar of Reshipora, Kulgam
  9. Ubaid Shah from Makenpora village
  10. Aqib Ahmad Sheikh of Makenpora, Kulgam.
- 25 civilians critically injured





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