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# *Resolution adopted at the meeting of the United Nations Commission for India and Pakistan on 5 January, 1949. (Document No. 5/1196 para. 15, dated the 10<sup>th</sup> January, 1949).*



## **THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN**

Having received from the Governments of India and Pakistan in Communications, dated December 23 and December 25, 1948, respectively their acceptance of the following principles which are supplementary to the Commission's Resolution of August 13, 1948;

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite;
2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948, have been carried out and arrangements for the plebiscite have been completed;
3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.  
(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organising and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.  
(c) The Plebiscite Administrator shall have authority to appoint such staff or assistants and observers as he may require.
4. (a) After implementation of Parts I and II of the Commission's resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.  
(b) As regards the territory referred to in A 2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.
5. All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.
6. (a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two Commissions, one



composed of nominees of India and the other of nominees of Pakistan. The Commissions shall operate under the direction of the Plebiscite Administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision to effect.

(b) All persons (other than citizens of the State) who on or since 15 August 1947, have entered it for other than lawful purpose, shall be required to leave the State.

7. All authorities within the State of Jammu and Kashmir will undertake to ensure in collaboration with the Plebiscite Administrator that:

(a) There is no threat, coercion or intimidation, bribery or other undue influence on the voters in plebiscite;

(b) No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit;

(c) All political prisoners are released;

(d) Minorities in all parts of the State are accorded adequate protection; and

(e) There is no victimization.

8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems

on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted;

9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the Plebiscite has or has not been free and impartial;

10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultation envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations; Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of first January 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and Resolves to return in the immediate future to the sub-continent to discharge the responsibilities imposed upon it by the resolution of 13 August 1948, and by the foregoing principles.

*The UNCIP unanimously adopted this Resolution on 5-1-1949. Members of the Commission: Argentina, Belgium, Colombia, Czechoslovakia and U.S.A.*

## UN and Kashmir's right to self-determination

World War-II ended with an estimated killing of 7085 million people all over the globe. Historians estimate that 5056 million people died due to direct fighting between opposing forces and another 1928 million deaths took place because of war-related diseases and famine.

At this deadly end of WW-II, the war victors thought of having an organization which could stop occurrence of another world war. In the same perspective the United Nations Organization (UNO) was established as regulating body to regulate the international conflicts.

Unlike the League of Nations, the Charter of UNO was further distinguished and refined with the inclusion of an exceptional

humanitarian clause; the 'right of self-determination' which was unique in nature and became a cause for the decolonization of the colonial world. Establishment of India and Pakistan were also the result of this decolonization process in August 1947.



Dr. Muhammad Khan

Unfortunately, ever since the decolonization of subcontinent, the people of Jammu and Kashmir are demanding their right of self-determination.

Kashmiris trace back this prized right from the resolutions of United Nations which was accredited from the UN Charter.

Owing to its paramount significance, the right of self-determination was secured in article 1 of the UN Charter with a universal application, where Kashmiris cannot be made as an exception.

The global decolonization started immediately after



establishment of the UNO mainly because of the right of self-determination. Right of self-determination is the legal right of the people for deciding their future destination.

It is the essence of international law, arising from customary international law, secured in a number of international treaties and agreements. Kashmiris' right of self-determination is also secured in UN resolutions, treaties and commitments of Indian leadership. In the light of UN-mandated right to self-determination, the people of Jammu and Kashmir too had a right to determine their own destiny, their own political status and their own economic, cultural and social developmental model.

The United Nations Commission for India and Pakistan (UNCIP) through its Resolution of January 5, 1949 guaranteed a free and fair plebiscite in Jammu and Kashmir with the sole objective of granting the people of Jammu and Kashmir their right to self-determination.

This is the inalienable right; the people of Jammu and Kashmir had in 1947 and valid today in 2022 as well.

The only obstacle in the exercise of this right is Indian obduracy, which has constantly caused a barrier since the passage of UNCIP Resolution on 05 January 1949. Since its establishment in 1945, the United Nations has ensured grant of this right to over 100 states.

This is clear from UN membership; it had 51 countries as its members in October 1945 and today in 2022, there are 193 countries form the member states of this international organization.

In all cases, the right of self-determination formed the basis of such a large international community.

The only question, people of Jammu and Kashmir ask today from the UN and its 193 member States that after all why they have been deprived of this inalienable right of self-determination, enshrined in the UN Charter and UN resolutions.

UNCIP Resolution of 05 January, 1949 was corollary to UNCIP Resolution dated 13 August 1948. Indeed, after passage of this resolution (13 August 1948), India and Pakistan gave their recommendations for the smooth conduct of plebiscite in the entire state of Jammu and Kashmir which were incorporated in the resolution of 05 January 1949. This UNCIP resolution was unanimously adopted by members of the Commission thus had no confusion in implementation. Since India took the Kashmir dispute to UN on 01 January 1948 on the sole plea that Maharaja of the Princely State of Jammu and Kashmir had acceded to India

on 26 October 1947 through an Instrument of Accession.

The truth is quite different, since Maharaja did not sign the instrument before 27 October 1947, the day India invaded the state in the early hours. India was sure to just have a walk-over upon presentation of this so-called instrument of accession at the UN. But, during the debate over the dispute between Pakistani and Indian representative, UN came to know about the reality of Indian occupation of the former Princely State and consent of the people of the state, which run counter to Indian narrative and claim.

Moreover, even in the so-called instrument of accession, the will of the people was to be kept as the supreme about their future status.

The UNCIP resolutions (13 August 1948 and 05 January 1949) were indeed the rejection of the Indian stance over Kashmir.

Through these resolutions, United Nations made Kashmiris as the basic and principal party; the real decision makers for their future political status.

The so-called instrument of accession, India presented and used to justify its invasion into the Princely state of Jammu and Kashmir was not accepted by UN.

At the UN two concurrent happenings took place as a result of Indian reference to Kashmir case; one, Indian efforts to get UN authenticity of its military invasion into Kashmir was overruled and two, instrument of accession was not accepted as the legal document for the accession of the state with the Indian Union.

This happened despite Lord Mountbatten was still the Governor General of Independent India. Lord Louis Mountbatten remained Governor General of India from 15 August 1947 to 21 June 1948.

Despite unlawful annexation of IIOJK by India in August 2019, Kashmiris are determined to get their right of self-determination. In order to suppress their struggle for their right of self-determination, India is carrying out systematic genocide of Kashmiris through; fake encounters, custodial killings, shoot to kill, arrest and torture, rape of women folk and targeting the Kashmiri youth.

Besides, India is undertaking massive demographic changes in IIOJK which is yet another violation of the UN Charter, UN resolutions on Kashmir, Fourth Geneva Convention and International Law.

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# Right to self-determination of people of Kashmir

Kashmir is the oldest unresolved issue on the agenda of the United Nations. At the time of partition of the subcontinent Kashmir was a princely state, it was not included or merged in any domain.

People of Jammu and Kashmir were struggling against the tyrannical and oppressive rule of Maharaja Hari Singh and started an armed struggle in June 1947. In October 1947 majority areas of Poonch, Mirpur and Muzaffarabad were liberated and on 24th October 1947 a provisional government ie “Government of Azad Jammu and Kashmir” was established. Maharaja had lost his control over Kashmir. Indian National Congress was interested to capture Kashmir because of its geographical and strategic importance. On 27th October 1947, Indian forces landed on Kashmir against the will and wishes of people and in violation of Indian Independence Act.

The local people were resisting against Indian forceful occupation and it seems that the whole state will be liberated and Indian forces shall be pushed back to Delhi.

India knocked the doors of UN on 01 January 1948 on the basis of fraudulent Instrument of Accession to declare Kashmir as her part. The United Nations had established UN Commission for India and Pakistan (UNCIP) by UNSC on 20th January 1948 to investigate the dispute between the two countries over Kashmir and exercise “mediatory influence”.

On 21 April 1948, UNSC had rejected the Indian claim of accession and accepted Pakistan's stance of disputed territory and adopted the first resolution on the right to self-determination which states, “Both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite.” UNSC has passed 18 resolutions on Jammu and Kashmir and UNCIP had passed two resolutions.

On 05 January 1949, UNCIP passed the resolution which states, “The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite”.

The opening paragraph of the resolution of 13 August 1948 states, “The Government of India and the Government of Pakistan reaffirm their wish ....”, that clearly shows that it was

agreed by both countries.

It is a historical fact that Kashmir was not part of India even before 1947; it has very rich and old history as a separate entity having its own culture and traditions. The “Kashmiryat” is a common identity of all the regions of Kashmir. In legal context it is a disputed territory under the illegal foreign occupation of India and the people have a right to decide its political future. Moreover, UNSC resolutions on Kashmir not only declare Kashmir as a disputed territory but also recognize the right to self-determination. The people of IOJK are struggling for this right, but Indian army is using oppressive measures and lethal force to suppress this legitimate and indigenous freedom struggle of people of IOJK.

Right to self-determination is now an important principle and right in international law. Articles 1 and 55 of the UN Charter also provide respect for the right to self-determination of the people, whereas common article 1 of both international covenants ie International Covenant on Civil and Political Rights (ICCPR) 1966 and International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966, the 1960 Resolution on the Granting of Independence to Colonial Countries and Peoples, the 1966 Covenants on Political and Economic, Social and Cultural Rights and the 1970 Declaration on Friendly Relations, all acknowledge the existence of the “right” of self-determination by which peoples may freely pursue their economic, social, cultural and political development.

The International Court of Justice has confirmed that the right to self-determination is of an erga omnes nature, thus supporting the interest of all states in ensuring its respect.

India had illegally occupied Kashmir and to maintain her occupation had deployed almost 900,000 forces.

On 5th August 2019 India had annexed Kashmir which is clear violation of international law, UN Charter, the UN resolutions on Kashmir and bilateral agreements between Pakistan and India.

India had redefined domicile law after abrogation of Article 35-A, under the new law, even Indians can get the domicile of Kashmir even they never enter Kashmir. Delimitation Commission was established to increase the electoral constituencies in Jammu and Kashmir.

The commission had submitted its report and recommended increase in six constituencies in Jammu region which is non-Muslim majority area and one seat in the valley which is Muslim majority area.



Raja Muhammad Sajjad Khan

According to census of 2011 the population of valley is 6.8 million whereas Jammu region's population is 5.3 million.

Seats were increased on the basis of area not population to increase number of non-Muslim representatives. The basic purpose of all these actions is to change the demography of

## Global attention on Kashmir

Former UN Secretary General, Ban Ki-moon has said, "On Human Rights Day, I call on States to fulfil the promises they made at the Vienna Conference." We all know that the United Nations World Conference on Human Rights, held in Vienna in June 1993, was a landmark event. It was stated that the Vienna Declaration was 'reflective of the spirit of our age and the realities of our times'. The conference was attended by more than 7,000 delegates from all over the world, including a 22-member delegation from Kashmir which included among others, Dr Ayub Thakur, Dr Nazir Gilani, Barrister Trumboo, Dr Nazki, Dr Mehroo and Dr Ghulam Nabi Fai.

The Vienna Declaration called upon the states to abrogate legislation leading to impunity for those responsible for grave violations of human rights and to prosecute the violators, thereby providing a firm basis for rule of law. The United Nations supports an array of human rights institutions, the Universal Declaration of Human Rights and many human rights treaties that have been adopted. These institutions and officials collectively testify to the blossoming of human rights on the international agenda in the past 73 years since promulgation of the Universal Declaration of Human Rights in 1948. They also underscore the Charter obligation on all nations to promote and protect human rights, which includes an obligation to consider human rights implications in all bilateral and multilateral negotiations.

The basic human rights provisions of the Geneva conventions including the ones protected under common article 3 of these conventions are also non derogable in the sense that they must be respected even in times of international and non-international conflicts, international disturbances and foreign occupation.

The candour and fair-mindedness support the conclusion that the United Nations has been painfully ineffective measured by the yardsticks of international peace, human rights, and self-determination.

Kashmir and its Muslim majority character. The UN resolutions on Kashmir are still relevant and after 05 August 2019 India has annexed Kashmir which is clear violation of international law.

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The presence of the 'Universal Declaration of Human Rights' and other human rights instruments offers no consolation for the people of Kashmir because its framers have not lived up to its spirit, at least applying it selectively to suit the objectives of certain



*Dr. Ghulam Nabi Fai*

powers. The people of Kashmir are simply perplexed as to how to interpret such *joi de vivre*. Over seventy-three have lapsed since the adoption of this Declaration but the people of Kashmir have not seen an iota of change in the human rights situation in Kashmir. For worse may be but never for the better. Such documents are meaningless for the people of Kashmir or for any other people who do not see their application, or even a negative mention to those who ride roughshod over them with total impunity while enjoying the good graces of some of the members of the world community to aspire to a high moral station above others.

If international law were applied even-handedly in Kashmir, an international war crimes tribunal would have been established years ago to try the scores of Indian civilian and military leaders guilty of crimes against humanity and aggression. What Slobodan Milosevich did in Kosovo and Bosnia pales in comparison to what Indian civilian and military grandees have done in Kashmir for 73 successive years, something resembling genocide on the instalment plan.

Kashmir is not beyond a solution if all involved parties make concessions: Pakistan, India, and Kashmiris. The next step is not to craft a solution, but to set the stage for crafting a solution. Key to that objective is an appointment of a person of international standing by the United Nations. The grave situation in Kashmir demands that it could be brought to the attention of the Security Council. Whether this could be done successfully depends on the attitude and policies of the permanent members, but they should be left in no doubt that any failure to resolve the problem could lead to serious disorders throughout the South Asian Subcontinent and possibly to yet another war between India and Pakistan, with incalculable consequences for the whole world, since both states are now nuclear powers. The question arises what should be the point of departure for determining a just and



lasting basis? The answer obviously is (a) the Charter of the United Nations which, in its very first Article, speaks of 'respect for the principles of equal rights and self-determination of peoples' and (b) the international agreements between the parties to the dispute at the Security Council. If the peaceful settlement to Kashmir crisis is to be reached, and if India is to stop dealing with the crises through sheer brutality and terror, world attention

must be focused on Kashmir. Today, in this hour of darkness, in this hour of trial, in this hour of total isolation and entrapment, the people of Kashmir are being mangled and decimated, their land is being scorched. Everyday scores of people are dying, with them dying the hopes of an entire generation and entire civilization.

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## Kashmiris' right to self-determination and UN failure

India has been resorting to the worst state terrorism for the last over seven-four years to continue its illegal hold on Jammu and Kashmir. It has given its troops, police and paramilitary personnel unparalleled powers to commit atrocities on the people of Indian illegally occupied Jammu and Kashmir to quell their struggle for seeking their United Nations-recognized right to self-determination. Indian forces' personnel enjoying unbridled powers and impunity under draconian laws are committing grave human rights violations in fact crimes against humanity in the occupied territory to intimidate the Kashmiris into submission. The most deplorable aspect of the matter is that the international community has acted as a mere spectator all through these years and failed to fulfil its responsibilities regarding the resolution of the Kashmir dispute in accordance with the Kashmiris' aspirations. Unfortunately, the United Nations Security Council had adopted several resolutions on the Kashmir dispute but has not been able to implement them despite the passage of several decades. One such resolution passed by the UNSC on 05 January 1949 holds enormous importance as it states that the question of the accession of Jammu and Kashmir either to India or Pakistan will be decided by the Kashmiri people through the exercise of their right to self-determination in a free and impartial plebiscite held under the supervision of the World Body. Kashmiris on both sides of the Line of Control and the world over observe the Right to Self-determination Day on 05 January, every year, to remind the world community that the UN resolutions on Kashmir still remain unimplemented. Since India's invasion of Jammu and Kashmir on 27 October 1947, Indian troops in their unabated acts of state terrorism have martyred over 400,000 Kashmiris for resisting its illegal occupation of their homeland. According to the Kashmir Media Service data, Indian troops had martyred 95,948 Kashmiris, including 7,225 in custody, since January 1989 till December 31, 2021.

These killings rendered 22,940 women widowed and 107,857 children orphaned. The troops arrested 164,078 people, destroyed 110,451 houses and other structures and molested 11,246 women during the period. As per the data, the troops martyred 210 innocent Kashmiris including five women during the year 2021 and 31 of them in the month of December 2021 alone. Since 05 August 2019, when the Narendra Modi-led fascist Indian government revoked the special status of IIOJK, the troops had martyred 515 Kashmiris.



Muhammad Raza Malik

India, which had promised before the world community to give the Kashmiris their right to self-determination when it had taken the Kashmir dispute to the United Nations Security Council on 01 January 1948 after sensing a defeat to its forces at the hands of resilient Kashmiris, has not fulfilled its commitments yet. Instead, it has applied every brutal tactic in IIOJK to force the Kashmiris to give up their just struggle for securing freedom from its subjugation. After strengthening its occupation, India started claiming Jammu and Kashmir as its integral part to mislead the world about the Kashmir dispute and the prevailing grim situation of IIOJK. Narendra Modi-led fascist Indian government moved even a step further by repealing the special status of the occupied territory on 05 August 2019, illegally and unconstitutionally annexing it with India and putting it under strict military siege.

However, despite exhausting all its resources and using all methods of repression, New Delhi has miserably failed to subdue the freedom sentiment of the Kashmiri people and they are committed to taking their ongoing freedom movement to its logical conclusion at all costs. There is no denying the fact that the UN has played an important role in resolving many international disputes like East Timor, Kosovo and South Sudan. However, it has never made serious efforts to implement its resolutions regarding the settlement of the Kashmir dispute, resulting in the continued sufferings of the people of Jammu and Kashmir. The criminal silence maintained by the international community and the UN has given a sense of impunity to New

Delhi to continue with its brutal actions in IIOJK and in this way, they are also responsible for all death and destruction in the occupied territory. The UN must take practical steps to force India to resolve the Kashmir dispute by giving the people of Jammu and Kashmir an opportunity to exercise their right to self-

## Modi's governors

No sooner did Narendra Modi assume power as prime minister in 2014 than he declared his aim to create a Congress-free India. This could have been achieved legally and constitutionally only by defeating the Congress in elections in every single state assembly of India. Before long, he discovered that the project had failed. His BJP lost in elections in important state assemblies. He thought of an alternative: destabilize Congress ministries in the states by appointing as their governor's stooges who would do his bidding to oppose the chief minister and attack the latter publicly. This is a subversion of the constitution. But then, Modi has given every indication of the facts that (a) he is ignorant of the text of the constitution and (b) also of the constitutional conventions on which it is based. He cares not for either.

This is a very dangerous game and its consequences will recoil on him. At some juncture, the president of India might do to him what he wants his governors to do to his political opponents.

Initially, the framers of the constitution wanted an elected governor but then realised that this would result in two centres of power each claiming a popular mandate through elections. They opted for appointment by the president on the advice of the prime minister. This is the procedure which was adopted in the constitution. Just like the president is the constitutional head of state, the governor would be the head of state and follow the same parliamentary conventions. Dr B.R. Ambedkar made clear in 1948: "Under a parliamentary system of government, there are only two prerogatives which the king or the head of the state may exercise: one is the appointment of the prime minister and the other is the dissolution of parliament. "With regard to the prime minister, it is not possible to avoid vesting the discretion in the president. The only other way by which we could provide for the appointment of the prime minister without vesting the authority or the discretion in the president, is to require that it is the House which shall ... choose its leader, and then on the choice being made ... the president should proceed to appoint the prime minister." Jawaharlal Nehru asserted later that "it would be infinitely better if he [the governor] was not so intimately

determination. The World Body must fulfil its obligations without any further delay to save the South Asian region from the dangers posed by the nefarious policies of the fascist Modi regime.

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connected with the local politics of the province, with the factions in the provinces. And ... would it not be better to have a more detached figure, obviously a figure that is acceptable to the province, otherwise he could not function there? He must be acceptable to



A.G. NOORANI

the province, he must be acceptable to the government of the province and yet he must not be known to be a part of the party machine of that province. "He may be sometimes, possibly, a man from that province itself. ... But on the whole it probably would be desirable to have people from outside eminent people ... Politicians would probably like a more active domain for their activities but there may be an eminent educationist or persons eminent in other walks of life, who would naturally while cooperating fully with the government ... nevertheless represent before the public someone slightly above the party and thereby in fact, help that government more than if he was considered as part of the party machine." The concept of the impartiality and independence of the governor, despite his nomination by the president, could not have been more strongly emphasised by the architects of the constitution. Those who intervened in the debate recognised that the consent of the state's chief minister is a prerequisite to the appointment of the governor by the president. Thus the provision for the appointment of the governor by the president was adopted by the constituent assembly.

In 1979, the Indian supreme court said: "He [the governor] ... is an independent constitutional office which is not subject to the control of the government of India."

Circumstances devalued the post, and with that there was a logical fall in the standard of selection of governors. An administrative reforms study team noted: "The post came to be treated as a sinecure for mediocrities or as a consolation prize for what are sometimes referred to as 'burnt-out' politicians." Most of the persons selected were old men of the ruling party at the centre. In 1983, Indira Gandhi appointed a commission on centre-state relations headed by a supreme court judge R.S. Sarkaria, who fully lived up to his name. Two other members were bureaucrats. The opposition was not consulted.

Its report said: "It is desirable that a politician from the ruling

party at the [centre] is not appointed as governor of a state which is being run by some other party or a combination of parties.” A fortnight after the report was published, governors were

## Jobless Generation of IIOJK

Unemployment among educated youth is one of the major social problems of Kashmir and the unemployment rates have continued to increase, most likely due to insufficient job vacancies. The number of unemployed youth is increasing every passing year. Unemployment increases not the only psychological toll on families but also increases stress and other negative effects which can exacerbate one's overall mental health.

By keeping in mind the above situation numbers of factors are adding fuel to it. Firstly, over the years many institutions have faced allegations of irregularities and discrepancies in their working mechanism and thus most recruitment processes end up in courtrooms.

Secondly, lack of jobs for the youth trained in professional courses like engineering, BDS, health, social welfare is another reason for the growing unemployment in IIOJK. Every recruitment process meets a similar fate and the list is long. In IIOJK, many postgraduate scholars in order to earn a living are working in hotels. The growing distress has led to a phase of frustration.

Thirdly, for one reason or the other, a single competitive examination process takes years to conclude leaving many candidates overage and thus ineligible for future examinations. For example, the notification for recruitment into the posts of Naib Tehsildar and Patwari was issued by JKSSB in the year 2015-2016. To date, the recruitment process for the post of Naib Tehsildar is not completed and the final list is pending. Another example is the ongoing process of recruitment into the posts of PO and Banking Associate in J&K Bank. The posts were advertised in the year 2018 and approximately one and a half lakh candidates appeared for the examination. The result is pending and the prolonged delay has pushed thousands of candidates to a state of misery and ambiguity. Adding to it, KAS 2016 examination also faced litigations on grounds of errors in Answer Keys of the preliminary examination and thus was delayed for years, recruitment for the posts of Teachers was in the year 2013 and the recent decision by SAC to regularize the RET and SSA employees by merging them with the posts of teachers has frozen the vacancies for the next fifteen years. This has discouraged and downcasted the Post Graduate Scholars (Bed and Med). This decision was regarded as anti-youth and it faced strong resistance

appointed in five states, violating the commission's recommendations. The system is a wreck in 2022.

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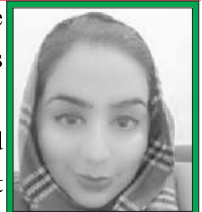
from students demanding a complete rollback. The redressed of the grievance is still pending.

The existing recruitment policies have failed in dealing with the growing employment distress. The policies need to be updated with more focus on fast-track recruitment and time-bound completion of the examination process. The need of the hour is functional and institutional changes with better transparency and a just system. There is a dearth of employment exchanges and they need to be expanded. There are plenty of jobs or vacancies in various government departments but they have neither been notified nor advertised. The government must come up with a new recruitment policy enabling Youth to make their own choices vis-a-vis their educational qualification. Special employment drives should be conducted for the youth living along with border areas of Poonch, Rajauri, and across the LOC. The saying- “Jis Baat Ki Koi Baat Nahi, Us Baat Ki Baatein Hauti Hain, Jis Baat Ki Baatein Hauti Hain, Us Baat Ki Koi Baat Nahi Hauti” fits right for the current political discourse in IIOJK. It is sheer irony that none of the main issues which the youth of IIOJK are facing finds its space in political debates, deliberations, or vision documents. We have never seen a political consensus or a mordant approach within the state and at the national level about a formidable policy or a road map for empowering the youth of IIOJK.

With the current economic crisis, manufacturing sector growing at a negative rate, agricultural growth rate at 1%, dip in eight core sectors of the economy, GDP at 4%, without internet services, how are we going to establish a new Industrial and IT sector in IIOJK. The claims seem to be a fallacy.

On the other hand, if one's flashback to the increasing unemployment in India, the majority of Youth in IIOJK is of the apprehension that posts the abrogation of Article 370/35A, their right to 100% entitlement to government jobs, admissions to universities, and accredited institutions now stands null and void. By keeping in mind the above scenario, it becomes very important for the government to issue an official notification regarding the same and put an end to all the apprehensions.

IIOJK youth is in a distressing phase. They are up in arms against the government policies and it's indeed a build-up of the prolonged phase of unemployment and ill-conceived priorities/policies of the Government.



Syeda Kerin Rubab Naqvi



# The second partition of India

GROSS human rights violations in India have been elaborately documented by the UN Human Rights Office, Amnesty International and Human Rights Watch (HRW). HRW has observed that 'Muslims are arbitrarily detained, interrogated and tortured on suspicion of terrorism.

Based on this and other evidence, mentioned in Part 1 of this rendition, Indian Muslims, the world over, need to vehemently protest and go to Indian courts against their ill-treatment inside India and abroad. They must also frequently invoke the UNHRC Resolution (July 2020) that "prohibits advocacy of religious hatred (and) incitement to discrimination". Muslim leaders and individuals must set off broader reckoning against racism, hate speech and holding politicians accountable for odious rhetoric against them.

Islamophobic attitudes and discriminatory projects must be collectively and individually contextualized via NGOs, media and academic discourse. Legal measures must be pursued and generously funded to counter institutionalized Islamophobia; besides condemning these through distribution of literature, writing letters to newspaper and magazine editors. Frequent marches and vigils must be organized, led and attended by Muslim communities.

Vigorous drives on social media must be launched against anti-Islamic and xenophobic state policies or treating sporadic violence by individual Muslims as a monolithic Islamic phenomenon.

Rulers must be warned that their policies could permanently estrange their Muslim population, endangering their societal cohesion and national security. Concomitantly, peaceful congregations like the one against the CAA, mild non-cooperation, passive defiance, non-violent resistance, marches, placard-waving and other pacific methods must be used. Non-violent obstruction of access to airports or blocking main highways intermittently (to avoid turning public opinion or help legitimize legal actions or use of force against protesters), must also be considered.

If the government uses violence against peaceful protesters, they must protect themselves through all means, as modern democratic thought has long held that individuals have a right to counter-violence in self-defense, against tyrannical government and political injustices. This will certainly develop a momentum

of its own, which might go beyond this customary option.

The emphasis in the second option is on a durable and collective political struggle, combined with peaceful measures, stated above. As part of this course, Indian Muslims must devise a political survival strategy based on cooperating with other oppressed minorities to vote for the party best placed to defeat the BJP, notwithstanding the dispersal of Muslims all over India. Such an alliance could lead to unity among all oppressed subgroups to acquire more political space and regain some of their constitutional rights.

By 2060, Pew estimates that there will be more Muslims in India than anywhere else in the world and they will constitute 19% of Indians. However, their representation in Parliament is unlikely to rise without formation of coalitions. The same is true for other factions, as individually the minorities lack both sufficient electoral numbers and strong, charismatic leadership to steer them out of their predicament.

Unless they realize and address these vulnerabilities, they will continue to be marginalized, Hinduised, victimized and dehumanized. Together, the Muslims, Sikhs, Christians and Dalits comprise nearly half the population of India. Unity among them can be their real strength. Besides, they must reject politicians among them, who are self-serving or sympathetic to RSS.

Only through political harmony, backed by sustained struggle, can they hope to get, what is rightfully theirs.

In places where minorities are dispersed or mingled with the high class Hindus, internal displacement to other safer places, where they have bigger population clusters, will be inevitable for political empowerment and minimizing vulnerability. But I fall these options miscarry, the minorities could be constrained to resort to the last choice of demanding self-rule, followed by separation from India.

Obviously, this course of action will be met with stiff resistance and it will surely be countered by the state and the Hindutwa brigades, with ruthless force, seen after the siege of the Golden Temple in Amritsar in 1984 and the present Indian reactions in Kashmir and elsewhere. This will entail sacrifices in blood and treasure but they will be worth making and necessary to lay the foundations of a second partition of India and freedom from yoke of RSS fundamentalists. The UN Universal Declaration of Human Rights also permits recourse 'to rebellion against tyranny and oppression' when human rights are unprotected. Indian cities



Gen Raza Muhammad Khan ©

are already segregated on the basis of religion and caste and the perpetuation of the BJP rule could eventually facilitate the split-up of India, but with a difference.

Unlike 1947, this time, it will materialize to fulfil the wishes, beliefs, and caste system of Hindus who despise other faiths.

This will also resolve the problem of the size of India which is too unwieldy to manage economically or to rule effectively. Is this scenario far-fetched? Not really, considering the Indian minorities' plight. It is also less capricious than the break-up of USSR and comparable with the break-up of Yugoslavia, out of which, eventually many stable states emerged. Besides, independent states for minorities will usher in peace, better cohesion, effective management and prosperity for the people, resembling what India was, prior to the British rule. The

historical context of the subcontinent also reveals that India was never a single country in the past, as it comprised a loose union of many states that were ruled successfully by numerous dynasties. But the strongest argument for India's division resides in India's caste system, of strict exclusion of Hindus from all 'impure' and lowly people.

Finally, it may be less chaotic than a civil war, which could ensue, if previous options are denied or minorities face genocide, causing mass internal displacement, cross border refugee movement and migration abroad by millions of Indians.

This will indeed be the doomsday scenario for India and others. For its own sake, the world must intervene now to avert it. Concluded.

The writer is the former President of NDU.

## Death of an idea called India

Major Adil Raja(R)

Pm Modi's team made all efforts to fly to Ferozepur in India's Punjab for a BJP public rally to announce wide scale development projects, knowing what awaited them on the ground. Their best laid plans failed because of the weather, which didn't allow them to fly to Ferozepur. The cavalcade of Indian Prime Minister Narendra Modi reluctantly took the road to reach Ferozepur, from Bhatinda airport, but their worst fears came true when the protesting farmers of Punjab not only blocked the road leading to the Ferozepur public rally, but also forced the mighty Prime Minister of India, alongside his entourage, to take a U-turn, and go back to where they had started.

It wasn't just an ordinary incident but termed a major security lapse by the central government, on part of the Punjab government. It was also an indication of the deep-rooted issues faced by the Hindutva regime in India, which is faced with twenty-two different separatist movements of varying sizes, in the entire breadth and width of India.

The idea of India was carefully crafted by the founding fathers of the nation, post partition in 1947, based on the ideals of Mahatma Gandhi. By far the most famous Prime Minister of India: Mr Jawahar Lal Nehru, shaped post-partition India into the fabric of secularism, manifesting the same ideals of Gandhi, which were based on inter-faith harmony and state secularism. This fabric of secularism shielded the fascist face of the Hindu left in India which was responsible for killing Gandhi himself.

To say that the current Hindutva fascism we see now in India instantly manifested, would be wrong. This fascism which surfaced on the mainstream with PM Modi's regime, and was unleashed on the minorities in India, had always existed. Modi's regime only succeeded in tearing apart the illusion of secularism in India, that was created by the founding fathers of Hindustan, and with it died the idea which was once called India.

Modi's regime started by attacking the Indian Muslims, and later progressed to the Christians. The Sikh's seem to be the latest victims of Hindutva fascism. On September 2, 2021, in its lead story, BBC, by Geeta Pandey stated: "Unprovoked attacks on Muslims, by Hindu mobs, have become routine in India, but they seem to evoke little condemnation from the government". She further reported that: "In 2019, a fact-checker website, that counted 'hate crimes' in India, reported that more than 90 percent of victims in the past 10 years, were Muslims."

Various international media outlets reported the Indian state sponsored violence by the Hindu mobs against the Christians. A feature by Varsha Torgalkar for the TRT World on December 10, 2021, stated that: "At least 305 incidents of attacks on churches and Christians have been reported, during the first nine months of 2021 alone."

Not long after the assassination of Indra Gandhi on October 31, 1984 by two of her Sikh bodyguards, anti-Sikh riots by Hindu mobs erupted. They continued in some areas for several days, killing more than 3,000 Sikhs in New Delhi and an estimated 8,000-17,000 Sikhs in total were killed across 40 cities in India. Justice has not been served to date for that violence. With the international Sikh referendum to create the state of Khalistan, and the ongoing farmers' protests, which forced the Indian Prime

Minister to take a U-turn on his way to a public rally in Punjab, the underlying tensions among the Punjabi Sikh community in India are quite evident. It is also common knowledge that the Sikhs afforded support to the Kashmiri freedom fighters and vice versa. This has also given the left wing an excuse to hate and attack the Sikh community. The greatest question that arises is, how long can a Hindu Fascist majority rule over a large proportion of India's minorities by force? If history was taken into consideration in this analysis, fascism has always failed to secure the geographical frontiers of a nation, as was evident in the case of the USSR. India's fate also seems similar, where the

country would be forced to revert to the principles of its founding fathers or be split into different countries and cease to exist as the India that is seen today. India is a huge consumer market, which is forcing global powers to ignore the drastic human rights tragedy under the current fascist regime in India. The state of India's human rights violations can be perfectly described in the words of Upton Sinclair, who stated: "Fascism is capitalism plus murder." The world, especially the Western world, with its double standards, is accepting this form of fascism where it suits them, whilst watching this genocide in silence.

The writer is an independent analyst.



## How to Beat those who Deleted Kashmiri Newspaper Archives

Censorship destroys our memories of the past and compromises the future we desire. In Kashmir, beset with cataclysmic events, vanishing news stalls the quest to preserve human rights.

**Ajaz Ashraf**

A month after Aakash Hassan tweeted his story, Kashmir's Vanishing Newspaper Archives, on 23rd November, it continues to be widely shared on social media. Hassan's story, in a nutshell, is about journalists unable to locate on the internet the pieces they had written for Kashmiri newspapers before 5 August 2019, the

date on which Article 370 was read down and Jammu and Kashmir's autonomy squashed.

The story portrayed an unseen but omnipotent hand selectively deleting URLs from the digital archives of media outlets. Many of these URLs were of stories on human rights abuses in Kashmir. Among those affected was Hilal Mir, who became the editor of the Kashmir Reader in 2016 and lasted a little over a year in that post. Mir found all his stories had been wiped out from the Reader's digital archive.

Clues there were a plenty in Hassan's story as to who could have ordered the scrubbing out of digital archives. For instance, journalists working for the Greater Kashmir said articles began disappearing from the archive after the newspaper's owner and editor-in-chief, Fayaz Kaloo, was questioned, in July 2019, by



the authorities about certain stories published in 2016, the year in which Kashmir erupted over the killing of the militant poster-boy, Burhan Wani.

The link between the questioning of Kaloo and articles disappearing from his newspaper's archive could well have been coincidental. Yet it also posits a hypothesis, even though subliminally, that URLs are unlikely to go missing without the consent or order of owners and editors wishing to obviate trouble from the state. Or out of their compulsion to please the government for getting its advertisements, a veritable lifeline for regional newspapers lacking in resources.

### THE STORY OF KASHMIR TIMES

But this possibility fails to explain the strange occurrence at the Kashmir Times, which the wife-husband team of Anuradha Bhasin and Prabodh Jamwal oversee. They are among India's feisty journalists. After Article 370 was read down and the internet was inaccessible for months, Bhasin judicially challenged the communication shutdown in Kashmir. "Messages from bureaucrats would come that did I have to go to court," said Bhasin, executive editor, Kashmir Times. She did not relent.

This is why most people find it inconceivable that Bhasin and Jamwal would scrub out their newspaper's archive at the behest of the powerful. "Our digital archive from 2011 to 2016 has disappeared," lamented Jamwal, who is the newspaper's editor. Asked to guess who the culprit was, Jamwal said, "Either hackers or a member of our tech team."

Thereby hangs a tale.

Access to the innards of any website is controlled by a key or password, often generated by a software, which two staff members, generally, possess. It is possible, Jamwal argues, for an entity, be it angry state officials or jealous competitors, to buy out or scare the possessor of the password into tampering with the website.

Hassan's story on vanishing archives had Sajad Haider, editor of the Kashmir Observer, ascribe the missing data from his newspaper's website to hackers, who broke into the system several times in the past. Hackers often do so for a lark, and boast of their skills by uploading weird messages or links to pornographic sites.

But state and non-state actors are also known to hire hackers. Call them sponsored hackers. They have a defined purpose. In the case of Kashmir Times, their goal was the deletion of data from

its digital archives. Just as experienced thieves wipe out fingerprints before ferreting away their loot, so do sponsored hackers erase all evidence of having slipped into the system. As long as the website's technical team does not plug the lacuna, sponsored hackers continue with their surreptitious visits, stealing or deleting data, as has happened with the Kashmir Times.

This is precisely why Jamwal and Bhasin cannot state when precisely the stories featured between 2011 and 2016 went missing from their newspaper's digital archive. Their discovery was accidental, dating to October.

It so happened that Kashmir Times, as is typical for all media outlets, received notices from advocates whose clients had been exonerated of the criminal charges levelled against them. These clients were named as accused in the newspaper's reports based on police briefings. The advocates wanted the previous reports to be either taken down or altered to include the fact of exoneration, as web stories, unlike their print version, are always accessible and can, therefore, permanently damage reputations. Around the same time, Kashmir Times received queries from writers who had written stories for the newspaper in the past but internet searches for them yielded no result.

In both instances, Jamwal searched for the URLs furnished to him. Blank. Suspicious, Jamwal matched cataclysmic events between 2011 and 2016 and whether stories done on them were featured in the Kashmir Times. Once again, a blank. It was impossible that the Kashmir Times would have not features stories on those bloody events.

The Kashmir Times website is hosted by a server owned by a California-based company. But the newspaper does not have an arrangement with the company for taking backups. Nor does it park its data on the cloud, which is essentially a system of interconnected servers at a remote place. The Kashmir Times team takes backups and stores them on two computers, one at its Jammu office and the other at its Srinagar branch. But the Srinagar office has been out of bounds for Jamwal and Bhasin after it was sealed on 19 October, 2019.

Jamwal said, "We have the data dump on the machine in Jammu. But it is not segregated by date, for we could not upload material on our website on a daily because of prolonged internet shutdowns." He can be faulted for not opting for the cloud storing facility or asking the California-based company to take backups on its server. "Everything costs money," Jamwal said. "We can be hacked so easily because we, unlike national media outlets,

cannot afford a robust protection system.”

As such, government ads have been denied to Kashmir Times since 2008. It has had to countenance multiples notices from the Income Tax department, Labour Department, Provident Fund Organisation and Employees State Insurance Corporation. Each of these notices involve court appearances and expenses. Bhasin said, “Prabodh spends so much time in court that I tease him that he is now an advocate, not a journalist.”

Given that the Kashmir Times has hard copies of all its daily editions, since 1991, stored in its brick-and-mortar archive, it might seem to make no sense for anyone to scrub out a segment of its digital archive. But the advantage of digital archives is that it can be accessed from any part of the world. It searches faster and more precisely than humans can.

Digital archives are particularly handy for rights groups, particularly those based abroad, evident from their reports that contain a plethora of URLs to media stories. Anyone who has pored over bound copies of newspapers in libraries are aware of the time and energy required to search for news items. Even a civil rights group based, say, in Delhi will incur expenses to travel and stay in Kashmir for collecting evidentiary material. The selective scrubbing out of digital archives, indeed, raises obstacles before those who want to challenge the state's narrative.

### WONDER CALLED WAYBACK MACHINE

I mined the Wayback Machine to see whether I could retrieve data for Kashmir Times. I was able to pull out seven URLs to its pages from 2016. I passed these URLs to Jamwal. He, too, took to the Wayback Machine and retrieved over 50 URLs to the Kashmir Times website, dating to the 2011-2016 period. I was also able to recover Hilal Mir's four stories from 2016. He can read them [here](#), [here](#), [here](#) and [here](#).

Created in 1996 and made available to the public in 2001, the Wayback Machine releases a crawler, which is a software programme that traverses the worldwide web. The crawler visits websites, famous or little known, capturing data. The capturing of data at a point of time on a particular date is called snapshot, which enables users to access URLs copied and stored on the Wayback Machine.

When you insert the URL of a website in the search field of the Wayback Machine, you are taken to the calendar of certain years. Each calendar has coloured dots on certain dates. Press those having blue dots and you can see the website as it was on that date. All stories of that date have new URLs, which are different from the links generated by the website where these were originally

published. The URLs generated by the Wayback Machine can be accessed, read and preserved. For instance, I accessed Hilal Mir's stories, missing from the digital archive of the Kashmir Reader website, only because it was on the Wayback Machine with new URLs.

Quite a system to save your work from delete-happy, compromised editors and owners. In fact, every individual can archive his or her stories on the Wayback Machine.

But there is a catch.

A website, holding the copyright to all material published by it, can ask for the exclusion of its URLs from the Wayback Machine's archive. Does this not defeat the very purpose of the Wayback Machine, which, when you log into it, greets you with the message: “They're trying to change history don't let them. The Wayback Machine is a crucial resource in the fight against disinformation... Right now, we're preserving history as it unfolds...”

I emailed the above question to Mark Graham, Director, the Wayback Machine at the Internet Archive, a digital library providing free access to all. Graham replied, “We live in a complex world of nuances, balance and, at times, conflicting values, law and practice. [While] we work very hard to archive as much as we can, to preserve it and make it available, we also recognise the Wayback Machine is a collection of other people's work. They own that work, we don't.”

### MARK GRAHAM'S OFFER

But remember, since the government does not hold the copyright to material published by media outlets, it cannot make exclusion requests to the Wayback Machine. This means not only entities such as the Kashmir Times can save every edition of its newspaper on the Wayback Machine and insulate it from sponsored hackerseven editors keen to please the powers that be can play the double game. Before deleting URLs from their digital archive, they can upload them on the Wayback Machine to slyly save information for posterity.

Graham wrote to me, “I would love to help them [news websites]. No fee required.” The Wayback Machine merely asks for donations from users. Graham even offered, “Please give me a list of news websites and I will ensure we archive them every day.” Remember, the Wayback Machine's crawler does not visit every news website daily.

The Wayback Machine is a veritable bonanza for freelance or independent journalists, who, in India, hold the copyright to their articles unless they have waived it in favour of media outlets which published them. In other words, a website cannot legally

approach the Wayback Machine to exclude URLs of journalists holding rights to their work.

Apar Gupta, advocate and Executive Director, Internet Freedom Foundation, said to me that freelancers can have a clause inserted in their contracts with media outlets that they assert their “moral right” to their own work. “Or they can have a line saying that the website cannot ask a third party for instance, the Wayback Machine to remove URLs to their pieces kept for archival purposes,” Gupta said to me.

But this issue has yet to be tackled by the Wayback Machine because, as Graham said, it “may have never processed an exclusion request from a news site in India.” In these early days of disappearing newspaper archives, it is vital for journalists to assert their rights and save their work from permanent erasure.

### IMPORTANCE OF MEMORY

It is also vital because what is at stake is the nation's memory, which has a pivotal role in the ideological battles of the present. It is also about knowing and accepting the truth. As Bhasin said, “The story of missing archives tells us that they are not only uncomfortable about the present but also about the past. Archives of newspapers are our memory of the past. They want to efface the memory.”

The effacing of Kashmir's memory would mean blanking out the causes of the interminable ferment there, the names of those who fomented it, and the suffering inflicted on its people; it will erase the register of human rights abuses and examples of the security establishment's overreach, which has inflicted wounds not only on Kashmiris, Muslims and Hindus alike, but also on soldiers

deployed there. It will deprive us the yardstick for comparing the present situation to that of the past. It could, in the future, even be claimed that neither India nor Kashmir ever bled.

It will, above all, allow political players, particularly the Bharatiya Janata Party, to engage in myth making. Bhasin warns, “Kashmir is the BJP's experimental laboratory, and although the scene in other parts of India is just 10 percent of what happens in Kashmir, it is reason enough for all to worry.” Bhasin's warning rings true against the backdrop of the Modi government tightening its control over the media.

Kashmir could well become an instructive lesson in effacing or manipulating regional memories. Our little histories, so to speak, will be deleted. In its place will arise a singular history, an incomplete history. The goal of recovering multiple memories has authors of books on the past spend lonely hours in brick-and-mortar archives, poring over regional publications, which may lack in style and elan, but never in substance. To erase the archives of regional newspapers is to erase the essential Indian personality, blessed with contradictory, even conflicting, traits, each struggling to flower.

Novelist Milan Kundra wrote, “The struggle for power is the struggle of memory against forgetting.” As omnipotent fingers stealthily steal into archives and hunt for URLs to delete, the Wayback Machine or its alternatives can be our weapon in memory's fight against forgetting.

*The author is an independent journalist. The views are personal.*

## RESEARCH METHODS & TECHNIQUES

### WORKSHOP REPORT



#### Day 1: 10<sup>th</sup> January 2022

Director KPRI, Raja Muhammad Sajjad Khan welcomed the participants and gave an introductory speech as well as introduced the workshop trainers.

#### Session 1

#### Dr. Rahat Zubair Malik

Research Fellow in the NIHCR,



QAU, Islamabad, Editor to the *International Journal of Kashmir Studies*, Associate Editor to the *Pakistan Journal of History and Culture* (PJHC)

#### Theme: Introduction to Basics of Research

**Sub Theme:** Introduction: Two Styles of Research (Qualitative and Quantitative), one logic of inference, Explaining Scientific Research in Social Sciences

The first theme was Introduction to Basics of Research which



was joined by Dr. Rahat Zubair Malik as a resource person. Dr. Rahat started with a basic question of what is research and explained the difference between 'Research' and 'Re-Search'. She emphasized the need to realize that the research topics should be original, innovative, and must contain some research question that is capable to add to the existing knowledge. She also suggested selecting topics that while planning some research purpose and goals must be kept in mind so that the research not only adds to the existing knowledge but also serve the immediate goals of the researcher. For example, if the research is being planned for M.Phil, Ph.D. degree for some improvements in planning and management practical realities may be kept in mind as good research has competed for research. She also emphasized the need to control personal likes and dislikes and research should be conducted on the basis of evidence controlling personal emotions and choices about the topic.

The tools of scientific research; Observation, Questions, Hypotheses, Methods, and results were discussed by the resource person. Among the types of social science three basic types of research i.e. Exploratory Research, Descriptive Research, and Explanatory Research were discussed in detail. Furthermore, a scientific approach with reference to social theory, Usage of Data, and Empirical Approaches were discussed which were followed by the steps to conduct research in social sciences. She also described the strengths of quantitative research which are enabling testing and validating/ modifying existing theories about how and why phenomena occur and developing new theories by collecting data and testing hypotheses. She also pointed out a few weaknesses of quantitative research i.e., the researcher's perspective in identifying dimensions/ categories which are used may not reflect the participant's understanding. Basic differences between Quantitative and Qualitative research were also discussed in the session. Which was followed by a discussion on the significance of thinking like a researcher. the whole session was interactive and students remained engaged in discussion on the topic with the resource person. The session ended with answers to the questions of participants of the session.

## Session 2

**Dr. Atiq ur Rehman**, Associate Professor and Director of Kashmir Institute of Economics, University of Azad Jammu and Kashmir

**Theme: Research Designs and Steps of Research**

**Sub Theme: Beginning the Research Process: Identifying a Research Topic, Developing Research Questions**



Dr. Atiq ur Rehman briefed quantitative research and qualitative research importance in the research methodology. Qualitative research is primarily exploratory research. It is used to gain an understanding of underlying reasons, opinions, and motivations. It provides insights into the problem or helps to develop ideas or hypotheses for potential quantitative research. Qualitative Research is also used to uncover trends in thought and opinions, and dive deeper into the problem. Qualitative data collection methods vary using unstructured or semi-structured techniques. Some common methods include focus groups (group discussions), individual interviews, and participation/observations. The sample size is typically small, and respondents are selected to fulfill a given quota. Quantitative Research is used to quantify the problem by way of generating numerical data or data that can be transformed into usable statistics. It is used to quantify attitudes, opinions, behaviors, and other defined variables and generalize results from a larger sample population.

Moreover, his session was more focused on how to select a research topic as it's the most difficult, phase of the research project. He highlighted a few tips for research beginners he said (a) consider your own interests (b) interest of your supervisor (c) discuss with the subject specialist of your interest (d) literature review (e) look at encyclopedias or dictionaries to become familiar with discipline-specific vocabulary. Dr. Atique ur Rehman also focused on how to develop research questions he said research questions must be (a) clear. it provides enough specifics that one's audience can easily understand its purpose without needing additional explanation (b) focused, it is narrow enough that it can be answered thoroughly in the space the writing task allows (c) concise, it is expressed in the fewest possible words (d) complex, it is not answerable with a simple "yes" or "no," but rather requires synthesis and analysis of ideas and sources prior to the composition of an answer (e) arguable, its potential answers are open to debate rather than accepted facts. His session was ended with an answer question session with participants.

## Session 3

**Dr. Altaf Qadir**, Assistant Professor, University of Peshawar, Pakistan

**Theme: Research Design & Methods**

Sub Themes- Hypotheses, Concepts, and Variables  
Contextual framework, theories implementation

Dr. Altaf Qadir's entire session was filled with simple and beautiful examples which were easily understandable by the



participants. He began with the meaning of hypothesis which means an intelligent guess or prediction that gives a direction to the researcher to answer his research question. He also talked about the contribution of hypothesis in the research study i.e., it gives clarity to the research problem, describes explains and predicts the expected results or outcomes, indicates the types of research, describes the research design, identifies the population of the study, facilitates data collection, data analysis, and data interpretation. He also explained types of hypotheses research hypothesis, null hypothesis, and testable hypothesis. He also discussed the types of variables- independent, dependent, demographic, extraneous, and environmental.

He asked the participants to be clear about the concepts of Qualitative and Quantitative research. He gave references to a wide range of authors who have contributed immensely to Research Methodology. The research is a question of why and which deals with process, chronological order, how it should be done. Later there was a discussion session with the candidates in which all the doubts of the trainees pertaining to research were clarified. His session was more focused and engaging with students on the conceptual framework and implication of theory in research.

His session was ended with an answer question session with participants.

## Day 2: 11<sup>th</sup> January 2022

### Session 1

**Dr. Adeela Ghazanfar, Assistant Professor-NUST Islamabad**

**Theme: Research Methodologies**

**Sub Themes:** Quantitative and Qualitative-Making Empirical Observation-Direct and Indirect, Document Analysis: Using the Written Record, Survey Research and Interviewing



She started with a discussion on the 'meaning of research' and its relation with the academic world went on to a debate on 'research as an academic activity. The presentation continued on to this while progressing towards the research proposal and its various steps. It further went on to a closer look at methods. However, the initial discussion started from the definition and understanding of Ontology (What is the nature of the phenomena, or social reality, that you want to investigate) resultantly, epistemology: What is your theory of knowledge (How we perceive reality). Further moving towards deciding on a methodological approach: Conceptual vs. Empirical and Descriptive vs. Analytical

approaches were discussed. Getting an understanding of exploratory research (which is more related to the development of hypotheses rather than their testing) was also a very important part of the presentation. This led to the jump on the Qualitative approach in research, which is concerned with subjective assessment of attitudes, opinions, and behavior. A quantitative approach was then compared with the qualitative one. Quantitative, on contrary to qualitative is usually sub-classified into inferential, experimental, and simulation approaches to research. I also conveyed the Strengths & Weaknesses of Quantitative Research along with the Strengths & Weaknesses of Qualitative Research.

*The second part of the presentation was on Documents analysis,* at first the type of Written Records was meaningfully understood. Types included Documents, reports, statistics, manuscripts, and other written, oral, or visual materials. The most commonly used data source in political science can be divided into the episodic record and the running record. These two were given understanding with their detailed definitions and examples like Episodic Record: Produced and preserved in a more casual, personal, and accidental manner by individuals. Running is more likely to be produced by organizations than by individuals. This part also ended up with a debate on the advantages and disadvantages of the running record over the episodic record and vice versa

### Session 2

**Dr. Sania Muneer, Assistant Professor- School of Integrated Social Sciences, University of Lahore, Research Fellow, SOAS, University of London, UK, Chief Editor at International Journal of Kashmir Studies.**



**Theme: Reference, Technical Aspects, Report Writing and Publications**

**Sub-theme:** Classification of Primary and Secondary Sources, APA and Chicago Manual

Dr. Sania Muneer entire session was very enlightening as many things were new to the participants and this session gave an idea of how to search online reaches. She talked about various online catalogs like the national library catalog, library of congress, The national archives, and other online sources.

She also explained how to search scholarly data original search and literature review. She explained various search strategies PICO search approach, phrase search, type of document search,

google advance search. She also talked about various search engines like Jstor and HEC digital libraries, google scholar, academic search, intelligent search engines, subject directories, open access to various journals and various video search engines. She stressed the importance of research and it should have value do not fabricate or plagiarize. Considering value issues in research is more important than dealing with universal values and testing reality.

She explained the meaning of reference which is a standardized way of acknowledging the information and ideas used from different sources in research work. She also pointed out the parts of referencing i.e. citing and reference list. She explained that citing is acknowledging within our text the document from which the information is obtained and a reference list is a detailed description of the document from which the information is obtained. She also described the difference between references and bibliography. She also discussed the need for citing, when to cite and when not to cite with examples. She also explained how to do references accurately. It was followed by the practical session in which she taught the use of Mendeley.

To conclude the research methodology workshop for Ph.D. students in social sciences turned out to be a rich experience for the participants, raising their confidence to proceed with scientific research and produce quality output.

### Informal session

Finally, the last informal session was devoted for the participants to share their experiences. The workshop instructors Dr. Sania Muneer, Dr. Rahat Zubair, Dr. Adeela Ghazanfar gave enough time for scholars to share their experience and also to point out the drawbacks of the workshop. Most of the participants had an opinion that this was the most valuable and memorable workshop that they have attended because all the particularities of doing social science research were covered by the workshop right from identifying a research problem to formulating a research problem, developing a research design, developing a research hypothesis, preparing questionnaire and interview schedule, and finally hands-on Mendeley software. All these aspects were covered in the workshop. Also, the students are given adequate time to discuss their own research topic with

resource persons. They suggested that it would be better if similar workshops will rearrange in the future.

### Concluding Session/ Certificate Distribution

The honorable Shakeel Qadir Khan Chief Secretary GoAJK was the chief guests of the session. They felicitate the participants with the certificates.



Director KPRI Raja Muhammad Sajjad Khan made his opening remarks at the valedictory session. He welcomed the honorable Chief secretary and secretary of Kashmir liberation cell. He briefly explained the KPRI activities and research projects. He proudly announced the impact of 'International Journal of Kashmir Studies' he added that its first journal falls in the category of social sciences in AJK. He briefly explained the objectives of KPRI and how they are achieving them. Later on, pondering upon two days of research workshop activities he said such kinds of activities sure sign of quality research when scholars will learn techniques and have hands practical knowledge.

Secretary Aijaz Hussain Lone added in his remarks research is the core value of academia and such research workshops are the platform to polish their skills. In His address, he highlighted many gray areas of research related to the Kashmir conflict and asked participants to include them in their research priorities. He appreciated Director KPRI's efforts and stressed organizing similar activities in the future. He also welcomed Chief Secretary Shakeel Qadir Khan for his concluding remarks.

Chief Secretary shared his remarks on the concluding ceremony and appreciated the initiative of the research workshop organized by the Kashmir Policy Research Institute. He added that KPRI is the only leading think tank in Azad Jammu and Kashmir that is working on strengthening the narrative of Kashmir and the strong voice of Kashmiris at the International Level. He assured all his support to make KPRI more progressive towards the cause.

The concluding ceremony was ended with a vote of thanks to all instructors and participants.

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## NEWS SECTION

### PM's iconoclastic move on Kashmir

Long, long time after former Premier, Zulfikar Ali Bhutto, a



Pakistani Prime Minister, Imran Khan, has come up with an iconoclastic approach on Kashmir dispute by reiterating Pakistan's never-ending support for the oppressed Kashmiris, not only on moral grounds but also as our constitutional responsibility. It is pragmatism and can be aptly described as a serious endeavour to put the resolution of seven-decade old Kashmir issue on a practical track instead of merely resorting to verbal condemnations and criticism. When the PM talks about Pakistan's constitutional obligations, he is, in a way, suggesting to the world fraternity in general and our Foreign Office, diplomatic corps and international law experts in particular to identify legal and constitutional remedies that are very much available for moving forward on this path practically and more effectively. This was needed much earlier. Eminent experts of international law and, likewise, some media seniors well versed with the legal-cum-constitutional aspect of the matter, have been pleading for this strategy that now seems to be the axis of Islamabad's Kashmir policy, rather the entire foreign policy, under the incumbent leadership. This policy has brought all hands on deck in a concrete direction which just cannot be upset by the powerful, sustained bombardment of Indian propaganda against the Muslim majority of Kashmir Valley or IIOJ&K (Indian Illegally Occupied Jammu and Kashmir). With this approach, Pakistan has cleared many obstacles created by repeal of Articles 370 and 35 A of the Indian constitution that conferred special status on the Kashmir Valley in accordance with the United Nations Security Council (UNSC) resolution adopted 73 years ago, on January 5, 1949. It is this UNSC resolution that grants irrevocable right of self-determination to the people of Kashmir. It is one of the fundamental rights included in the UN Charter and it prescribes the holding of a plebiscite under the aegis of the United Nations. And, in order to keep the record straight, the plebiscite was fully endorsed by the New Delhi government of the day that was headed those days by one of the most popular, influential Prime Ministers of India, Jawaharlal Nehru. PM Nehru is on record having openly declared that 'neither Kashmir belongs to India nor to Pakistan but to the people of Kashmir'. In the following years, India totally

backtracked on its plebiscite promise. Instead, it let loose a reign of terror on the Kashmiris seeking their due right of self-determination. It is a horrendous tale of innocent and harmless Kashmiris' untold misery and suffering : mass graves, enforced disappearances, increase in the number of Kashmiris' killings and also in the number of widows, half widows and orphans, deployment of 0.8 million regular and 0.3 million Indian troops and paramilitary forces against a hapless, limited Kashmiri community, one-to-two-plus year of siege and communication blackout/ blockade and refusal to inspection by international observers and media, etc, etc. To add insult to injury, the extremist government of Narindera Modi crossed all the constitutional limits of its own constitution, against the norms of natural justice, UN resolutions and other international laws and conventions including the 4th Geneva Convention, to consolidate its forcible occupation of IIOJ&K. Modi government felt no remorse in its constitutionally unconstitutional step of repeal of Articles 370 and 35 A by way of which it has tried to virtually undo the UNSC resolution on self-determination.

As if it were not enough, Modi Sarkar has gone to the farthest end by allowing non-Kashmiris' and foreigners' settlements inside the Valley. It is yet another brutal attempt to trample the right to live of the Kashmiri people, relying on the use of naked military might and strong Indian nexuses with countries having a say in the global affairs. These nexuses have worked incessantly to the detriment of the Kashmir cause and obviously to the advantage of Indian authorities enjoying connections and clout in many a capital of major powers and key players on the global chessboard.

Pakistan now seems to have geared up to combat these negative and inhuman networks that stand in sheer conflict with the universal principles of peaceful coexistence.

### Barrister Sultan hopes 2022 to be year of Kashmir's freedom

Muzaffarabad: The President of Azad Jammu and Kashmir, Barrister Sultan Mahmood Chaudhry has expressed his hope that 2022 will be proved as the year of Kashmir's freedom from illegal occupation of India. Barrister Sultan Mahmood Chaudhry, while talking to his Adviser for Britain, Barrister Karamat Hussain in Muzaffarabad, said, "It (New Year) will be the beginning of a new era of prosperity and development in AJK and the year of salvation for the oppressed people all over the world." He said that now the Kashmir dispute had entered an important and decisive turning point so it was the responsibility of all of us to work together to achieve the ultimate goal of freedom from India. He urged the people of Kashmir to stand up against Indian atrocities and raise the Kashmir dispute aggressively at every international forum. "The dark night in occupied Kashmir will soon come to an end and it will soon be free from India's occupation," he remarked.





### **AJK PM urges world to play role in stopping genocide of Kashmiris**

Muzaffarabad: Azad Jammu and Kashmir (AJK) Prime Minister Sardar Abdul Qayyum Niazi Wednesday said the AJK people have laid foundation of positive change by posing full confidence in the ideology of Pakistan Tehreek-e-Insaf (PTI) and the vision of Prime Minister Imran Khan in the recent general elections in the State. Talking to various delegations of overseas Kashmiri in Jeddah, where he is on a personal visit, he said that the PTI government will fulfill its commitments made with the people and the steps taken in a short time after coming into power were in front of everyone and added that the fruits of the government's steps will soon reach at the door steps of the



people, said a press release. He said the government has decided in principle to give the right of the votes to the overseas Kashmiri and legislation in this regard will be finalized soon. The AJK prime minister said that they were proud of Kashmiris living abroad who were contributing to the improvement of the economy by sending foreign exchange. He said that holding of local body elections was included in the manifesto of PTI and according to the vision of the Prime Minister of Pakistan Imran Khan. He said after 30-year local bodies elections were being held in AJK to transfer power to a lower level which will accelerate the process of construction and development in the state. He said that along with the construction and development of Azad Kashmir, the government was also working on a priority basis to highlight the Kashmir issue at international level. Qayyum said that India was bent upon suppressing the freedom movement with the use of military might but despite utilizing all means the spirit of the Kashmiri people was high and they will continue their struggle till the complete liberation of occupied

Kashmir from Indian clutches. The AJK prime minister expressed the hope that the people of occupied Kashmiri will ultimately get their fundamental right to self-determination in accordance with the United Nations relevant resolutions. He urged upon the international community, especially Islamic countries to play their role in stopping the genocide of Kashmiris and grant them their internationally recognized right to self-determination. The delegations of the Kashmiri community speaking on the occasion congratulated the AJK prime minister on performing Umrah. They also congratulated Sardar Abdul Qayyum Niazi on assuming the office of Prime Minister and especially for holding local body elections in the state and giving overseas Kashmiri the right to vote.

### **Roundtable “Rising State Repression in IIOJK”**

The India Study Centre (ISC) at the Institute of Strategic Studies, Islamabad (ISSI) held a roundtable on “Rising State Repression in IIOJK” in collaboration with the Jammu and Kashmir Liberation Cell, Government of Azad Jammu and Kashmir on January 20, 2022. Welcoming the guests, Director ISC Dr. Saif Malik said that ISC is Pakistan's first ever India focused centre



that specifically looks into the issue of Jammu and Kashmir. He said that August 5, 2019 brought many changes for the people of Indian illegally occupied Jammu and Kashmir (IIOJ&K) and has made the lives of people more miserable. In fact, August 5 is Kashmir's 9/11. Referring to the unabated human rights abuses, he wondered how the world that calls itself “civilised” can be sensitised about the situation in IIOJ&K. Mr. Irshad Mahmood, Director General Jammu and Kashmir Liberation Cell was of the view that the human rights conditions in IIOJK are gradually attracting significant international attention. Referring to the report by an international law firm Stoke White and other reports by human rights groups, Mr. Irshad said that Amit Shah and Ajeet Doval are key architects of present Kashmir policy that completely rely on excessive use of power and repression to achieve political goals. He also highlighted the fact that by arresting noted Kashmiri journalists and human rights activists, India is clearly signalling that there is no space for any sort of activism. Senator Zarqa Suharwardi said that the international community is very much aware of the situation in IIOJK but that is not enough. She said that under draconian laws that India has imposed in IIOJ&K, young boys are picked up from their homes and taken to far flung areas without informing their parents and family members. The same is being done with the bodies of



shaheeds which are forcefully taken away from families. Mr. Alaf Hussain Wani, Chairman, Kashmir Institute of International Relations suggested that there is much literature available on the human rights violations in IIOJ&K which needs to be disseminated. In this regard, there is a great deal of responsibility on the government of Pakistan as well as the Government of Azad Jammu and Kashmir. Barrister Nida salam condemned the atrocities and violation of fundamental human rights taking place in IIOJ&K.

She said that enforced disappearance, torture and rape are against international laws, commitments and obligations and India is in breach of all of these. Mr. Raja Muhammad Sajjad, Director Jammu and Kashmir Liberation Cell highlighted three phases in the history of Kashmir conflict i-e. 1947-1989, 1989-2019 and lastly the phase that started on August 5, 2019. This last phase,

starting from August 5, 2019 has brought with it many difficulties for the people of IIOJ&K as India has launched an onslaught on Kashmiri land, culture, language and civilisation. He suggested that cases against Indian atrocities should be initiated in the courts of Azad Jammu and Kashmir which will then help in taking the issue to international courts. During the course of discussion, Mr. Iftikhar Gillani said that ICRC used to meet the Kashmiri prisoners but now that practice has been discontinued by it. He stressed the need for ICRC to resume its engagement with Kashmiris imprisoned within IIOJK or in other parts of India. Towards the end of the event, Mr. Irshad Mahmood once again stressed the fact that slow genocide is taking place in IIOJ&K and the world needs to take note of it. Director ISC Dr. Saif Malik thanked the audience and the speakers for their participation.



**Minster Women Development Mrs. Taqdees Gillani and other speakers Addressing to Seminar on 5th January  
Right to Self-determinatin Day**

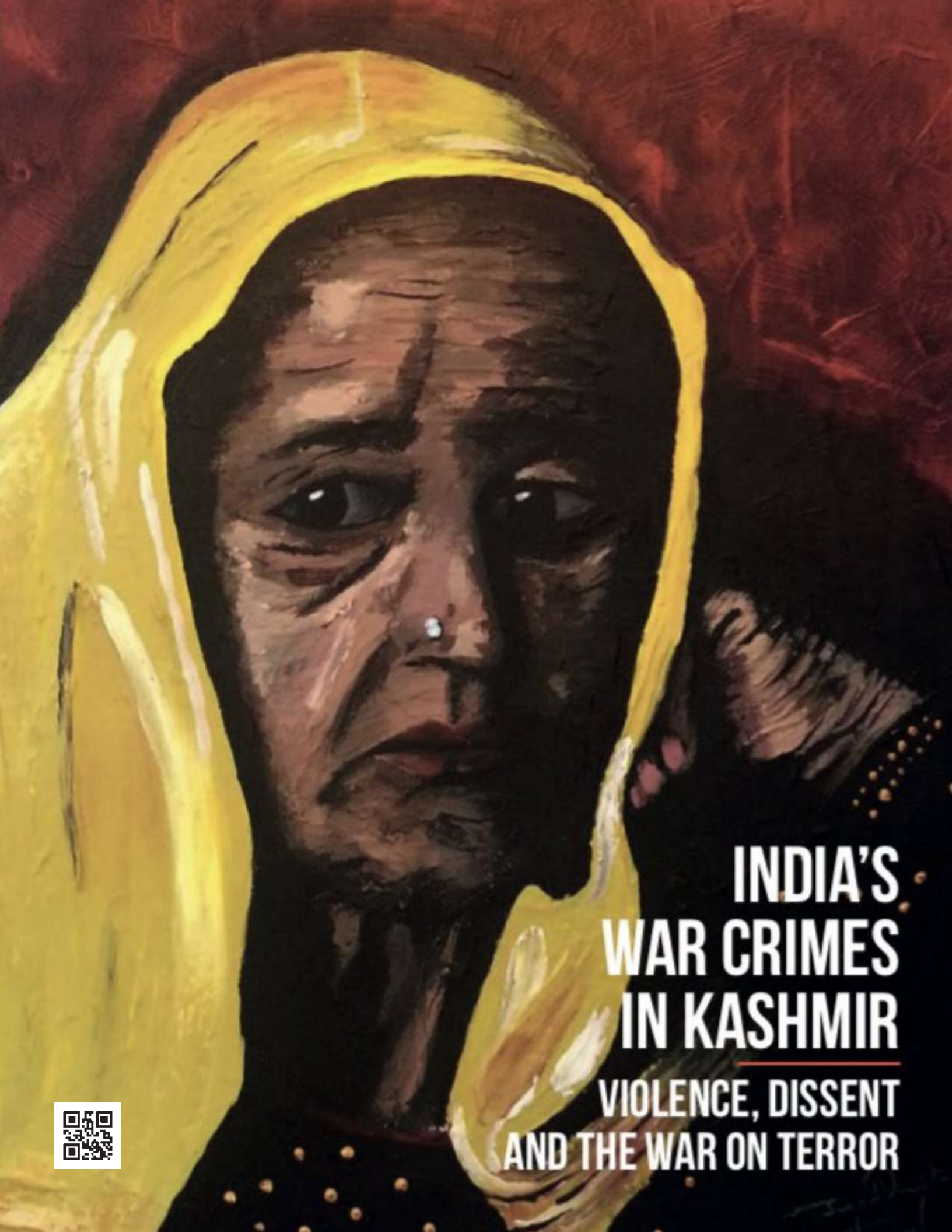


**Minister for Local Government and Rural Development Khawaja Farooq Ahmed Chairman Functions  
Committee presiding over the meeting of committee**

## **HUMAN RIGHTS VIOLATIONS IN IOK**

**(From Jan 1989 till 31 Dec 2021)**

Total Killings	95,948
Custodial killings	7,225
Civilian arrested	164,078
Structures Arsoned/Destroyed	110,451
Women Widowed	22,940
Children Orphaned	107,857
Women gang-raped / Molested	11,246



# INDIA'S WAR CRIMES IN KASHMIR

VIOLENCE, DISSENT  
AND THE WAR ON TERROR

