

## **CHAPTER- VI**

### **Conclusion**

#### **Revisit to the problem**

Militancy has become one of the most hated activities in the world. It's a term to describe the method of theory and practice whereby organized group or party seeks to achieve its aim chiefly through a systematic use of violence. It may be defined as an act of organized violence to create chaos and disorder for achieving the goals which in normal course cannot be realized within the frame work of any legal, structure and constitutional institutions. Militancy is not a product of 20<sup>th</sup> century. It may more appropriately be treated as the bye-product of internal politics after the world took its present shape.

The aim of militants, guerrillas and insurgents are different. Militant's aim is to erode support to the ruling government or a hostile country. Guerrilla tries to harass the opponent rather than defeat him. Insurgent aims to overthrow the regime in ones own country. Militancy may assume various forms such as political, regional, urban, state, international and religious.

International militancy is essentially political in character with an additional dimension of transcending national boundaries. Contemporary militancy is quantitatively and qualitatively different from any kind of

militancy in the past. In the global context militancy is a menace to the society as it threatens and shakes the very fabric of the society.

It has remained a rule rather than an exception throughout the course of history. Militancy in the age of globalization involves the militants, victims and also an audience because of the exposure it has through mass media.

Jammu Kashmir, located in the extreme north of the country is bounded on the north by China, east by Tibet and south by Pakistan. Nature has bestowed unlimited grace and grandeur to the valley. This valley is compared with Paradise. The amazing climate of Kashmir valley has always remained a source of attraction to lakhs of tourists every year. Jammu and Kashmir consists of three geographical divisions: Jammu, Kashmir Valley and Ladakh. The state is further divided into 22 districts. Kalhana in his book Rajatarangini stated the history of Kashmir. To put it briefly, her history is the ebbs and tides of the Hindus, Muslims, Mugals, Afghans and Dogras.

In the 1901 Census of the British Indian Empire, the population of the princely state of Kashmir was 2,905,578. Of these 2,154,695 were Muslims 689,073 Pandits, 25,828 Sikhs and 35,047 Buddhists. As per 2001 census, in J&K, the population was 1, 0143,700, out of this 66.97% were Muslims, 29.63% Pandits, 2.03% Sikhs and 1.36% Buddhists. Jammu and Kashmir's economy is predominantly dependent on agriculture

and allied activities. In 2007, the state became one of the top tourist destinations in India.

Origin of Kashmiri Pandit community covers more than a period of five thousand years. Kashmiri Pandits are Saraswat Brahmins. Kashmir is the land of their ancestors and forefathers. The Kashmiri Brahmins are divided into 199 exogamous sections (gotras) the members of which profess to be descended from the Rishi or inspired saint whose name the gotra bears. Pandits celebrate various types of festivals of which Shivarathri is the most important.

These festivals give the identity of Kashmiri Pandits. They patronized artists and writers. Kashmiri Pandits faced so many discriminations and apartheid from the majority community. In Kashmir from 1911 to 1923 there were no Pandits in the list of high officer's post. In 1924-1925 they appointed one Pandit officer in high official rank. The traditional literary wealth of Pandits was given a fine treatment by Western scholars with the help of the local scholars.

Many persons from this community had held distinguished positions like Indian Prime Minister, Army chief and Diplomats. One interesting thing to be noted is that most of the prominent personalities who belong to the majority community are related to the Pandits by blood.

Several factors contribute to Kashmir militancy. Chief of them are failure of democracy, shaded policies of central Government, poverty,

illiteracy, unemployment, discrimination, fundamentalism, demand for separate nation, Pak supported militancy, casteism, corruption and army's misbehaviour. Militancy related incidents were continuously on the increase since 1988. Hundreds of person's including civilians, members of Security forces and militants themselves lost their life in the milieu.

Right from 1949 Pakistan had involved directly in organizing subversive activities in Kashmir. India and Pakistan had fought at least three conventional wars, all of them for Kashmir. Although Pakistan occupied a part of Kashmir variously called POK or Azad (Free) Kashmir and part of it ceded to the Peoples Republic of China (Aksai chin) there is clearly the much larger original territory of the erstwhile Dogra kingdom lying under the sovereign umbrella of India at present. Pakistan sponsored militancy in the whole Kashmir valley not only destabilized the unity and integrity of the nation but also destroyed the beauty and glory of Kashmir.

The minority Pandits of the valley became the victims of militancy. They were gunned down indiscriminately, hanged or murdered by other brutal means. They were tortured, molested and raped and harassed with threatening letters and telephone calls. Posters and bit notices were pasted on their doors and warnings through newspapers were given to them to leave the valley within a short and specified time.

It is estimated that 1.5 lakh Kashmiri Pandits (1800-2000 families) have migrated and registered in Delhi. Out of this, about 300 families reside in 12 Migrant Camps established in various zones of Delhi.

The micro study revealed that the people of the valley are in their quest for everlasting peace. Nearly 3000 persons have died in camps and elsewhere after their forced exodus from the valley. They died of sunstrokes (more than 1000) as most of them were used to the cold climate of Kashmir.

The cohesiveness of the displaced families has broken as they were to undergo Diaspora for finding livelihood in various parts of the country. The structure of the Muthi migrant camp in Jammu revealed many facts. The relief measures provided by Government do not even satisfy the primary needs of the family. They have become the victims of the militancy and were struggling for survival.

Discriminations and denial of chances are common. The dignity and worth of human person was disturbed. Terror and violence damaged their individuality and dignity. Most of the refugees were not interested to talk about their health conditions. In all the migrant camps there were cases of Cardio Vascular Stress, Hypertension, Coronary artery diseases (angina and heart attacks). Premature ageing and premature deaths, unnatural deaths, high incidence of serious and potentially fatal diseases and

affliction with multiple disease syndromes, Poor medical aid and economic bankruptcy led them to the point of renouncing the very desire to live.

The Kashmiri Pandit Women, who have entered the twentieth year in exile, appeal to the conscience of the civilized world. They were the worst victims. The genocide had badly affected the Pandit women and children. Many women became the victims of panic problems like mental and physical disorders, depression problems and anxiety disorders.

The female literacy rate is 50%. Many children had lost their parents or rendered homeless and there is nobody to guide them towards the right direction. Many of them are facing cruelty at the hands of surviving relatives in the form of negligence and rejection. These children are under the influence of terror; they suffer from physical and psychological disturbances.

The magnitude of psychiatric disorders during 1990-1994 has been the highest. It rose from 1762 cases in 1990 to 17,584 cases in 1994. More than 800 Pandit children during 1990-1997 had developed acute psychological troubles without any anatomical reason. These children had been witnessing cruelty in the hands of militants.

Many of the displaced people, however, could not afford to send their wards to the public schools. Displaced populations' livings in camps are facing severe economic difficulties due to displacement and are

struggling for their daily bread. Forced migration is one of the most visible and disruptive effects of armed conflict.

On the economic front displaced families have been hit hard. When the intensity of militancy increased, they were forced to leave their movables and immovable's. Due to lack of economic opportunities in the camps and its surroundings, unemployment and underemployment became rampant.

They had lost everything and they had to start from the zero level. Ecological and economic aspects of life ultimately affected the socio-cultural life and their ideology of beliefs, values and attitudes.

They lost agricultural income, Business income, income from Jobs and small scale industries. There is a financial crisis among the refugee families. Economic crisis in the refugee camps led to the death of several persons year after year. Unstable financial conditions badly affected migrant Pandits life. The relief measure provided by state government was not sufficient for the families. There are ten important Organizations in the whole nation working for the prosperity of the Kashmiri Pandits. 'Panun Kashmir' is a major umbrella organization working for Pandits protection and Security.

Human rights are rights inherent to all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. These rights are all interrelated,

interdependent and indivisible. These rights are a nightmare for the Pandit community. They suffered pains and sorrows from militancy; nobody protected their lives and rights.

In Kashmir valley militants prevent the rights of Pandit community from enjoying Human Rights. Militancy had taken 2901 innocent Pandits life from 1980-2006. From 1980-1992, nearly 2651 Pandit had lost their life, since 1993 and up to 2006 again 250 Pandit had lost their lives in various incidents.

In Kashmir valley everyday minority community has been losing their rights and duties. It leads to severe violation of Human Rights in the whole valley and Pandits became the slaves of politicians, autocrats and militants. The statistics from various districts show that in Kashmir militants had taken away hundreds of lives in each incident.

They tortured females and looted Pandits residence and killed them mercilessly. Hundreds of Pandits were severely wounded and admitted to various hospitals in Kashmir valley. Kidnapping, torture and all types of Human Right violations had taken place. Kashmir militancy had taken more than Forty Eight thousand lives till 19 September 2010.

From 1980 to 1992 nearly 8157 persons including 2651 Pandits lost their lives. During 1990-1991 about 1342 Pandits lost their lives. It is very significant to note that the Human Right violation is against the weaker section of the community, the children and woman. It is the duty of the

NHRC, SHRC and other human right organizations to protect the basic Human right of these sections of population. The houses vacated by the Kashmir Pandits were torched, damaged or occupied by the militant's outfits.

More than 30,000 houses belonging to Pandits, hundreds of their business establishments, educational institutions, cultural and religious institutions had been destroyed or burnt. About 105 educational institutions were destroyed, damaged, or burnt by militants. Several cases were brought before the NHRC and SHRC regarding violations of rights of Pandits.

Reports show that NHRC and SHRC were not active to solve minority Pandits issues in Kashmir valley. From 1993 to 2007, more than 3012 cases were registered and, 1483 of them settled and 1529 cases are still pending. It is a savage battle that the community is fighting for shelter, livelihood, education, health care, employment and above all for its survival. Pandits become the victims of militancy and wicked Politicians. The Pandit community stands at cross roads. The question is of survival or death. That is why there is the cry for a homeland.

The call for a Homeland, therefore, underlines the inevitable desire and will of the community to regain its status and lost honor and to find its identity again in the land. The call for Homeland becomes mandatory for the community as it refuses to return to an atmosphere of discrimination,

suppression and persecution. The community wants to live in peace and in ambience of amity and brotherhood.

The seven hundred thousand Kashmiri Pandits including those who have been driven out of Kashmir in the past want to return to their homeland. They have not taken up arms to counter their act. They have suffered silently because they are a minority at the mercy of a brute majority, even though minority Rights are now acknowledged everywhere in the civilized world.

The year 1993 all over the world was celebrated as the year of 'indigenous people'. Kashmiri Pandits are the indigenous people of Kashmir with the continuity of a distinct ethno-religious tradition of more than five thousand years. Therefore, the world shall have to grant them their inalienable rights to exist in their Homeland with security of life, political liberty, freedom of thought and expression and in dignity and pride. Morally, to grant them a homeland will be an acknowledgement of the inalienable rights of Kashmir minority Pandit community in its own land in its own habitat. In the present state of exile, the whole community is going through indescribable psychological, mental and physical anguish.

The older generation is fast fading away as they are going through the throes of disease and death which has come prematurely for thousands. The younger generation has become apathetic, depressed and

frustrated because of denial of opportunities for living, denial of admissions in institutions of learning and the apartheid that they face from all quarters.

The Homeland for the displaced Kashmiris will have to be conceived in the valley itself and the area North and East of the River Jhelum. All Political parties from Kashmir Valley accept the dignity and honor of the Pandits and welcome their return to the valley at the earliest. Major political parties like Congress, CPM, BJP, NC, PDP, ML, RSP, CPI, BSP and Panthers party, are ready to give protection and security to Kashmiri Pandits.

Homeland for the seven hundred thousand displaced Kashmir's in the valley will be the only logical, natural and permanent solution for the displaced Kashmiris. Homeland is where home is and home is where land is and their land is in the valley of Kashmir. Their demand for a Homeland within the valley, from where they had been driven out by armed militants, is an assertion of their rights as much as of their patriotism for India, In order to save Kashmir from the clutches of Pakistan which has been instigating, encouraging and perpetuating militancy in Kashmir, the Indian nation has to shed all inhibitions and unequivocally declare its resolve of resettling the displaced Kashmiri Pandits in their Homeland which will serve as a bastion of secularism and democracy.

## **General Conclusions**

1. Kashmir is a militancy prone state. The history of militancy in Kashmir dates back to 1949. Its causes are many and varied. Unemployment, poverty, army's misbehaviour, role of political parties, kidnapping and discrimination from central and state government are the main factors that contributed to militancy in Kashmir valley. Till date, it is approximately calculated that morethan 48000 innocent people had lost their lives in the valley due to militancy.
2. It is found that Pandits are the worst sufferers of militancy in Kashmir. Due to militancy, Pandits losts everything. At present they are living in India, their motherland, as refugees.
3. At this juncture time, the Pandit population is found widely scattered both inside and outside of India. Inside India there population is spread in the states of Delhi, Haryana, Himachal Pradesh, Chandigarh, Punjab, Uttar Pradesh, Madhya Pradesh, Karnataka, Maharashtra and Rajastan. At the international level, they could be seen living in the countrys of UK, USA, and Canada. Moreover there are seven refugee camps in different parts of Delhi accommodating the Pandit population.
4. At present the Pandits are in socially, economically and politically dilapidated situations. They are forced to live under social and

economic constraints. Education of their wards remains a far cry. In terms of health, they are facing a deplorable situation.

5. In the midst of all these difficulties and disabilities, they earnestly hope to have their homeland. Various Pandit organizations, NGOs, Kashmir Muslims and political parties also favour their demand for a homeland in the Kashmir valley.

### **Specific conclusions**

1. Kashmir is a militancy ridden state. Multiplicities of factors lie beneath the origin and development of militancy. However, unemployment, poverty, attitude of political parties and discriminations to which the people are subjected to at the hands of both the state 'and Central Government and the role of security forces are found to be the general causes.
2. In the wake of wide spread militancy, the Pandits virtually lost their lives. They are thrown out of their motherland, they lost their culture and tradition and the very question of their survival is put at jeopardy. At present they earnestly hope to have their own homeland in the Kashmir Valley.

## **Validation of Hypotheses**

1. It is hypothesised that Militancy led the Kashmiri Pandits to become migrant refugees in their own homeland and put them on cross roads. Incessant instances of militancy with all its brutalities forced the Pandits to flee from their homeland, giving up everything movables and immovables, not to speak of their culture and tradition. At present they are forced to live as refugees in their own country finding solace in the refugee camps. Therefore, the first hypothesis stands validated.
2. Since forcibly thrown out of their homeland, they found themselves widely scattered. Therefore, they do lack a sense of social cohesion. Consequent to their eviction, they lost both their movables and immovables; fear and loneliness eroded their mental health and casual neglect by the governments caused them to lose their physical health also. The physical constraints as refugees and a tension mount environment prevent them from affording proper education to their wards. Thus, the second hypothesis that - refugee Pandits are now socially, economically, educationally, mentally and physically in an undignified and backward position - is tested and found true.
3. Where there is militancy that needs to be checked. Naturally, in the course of avoiding and annihilating militancy by the governments, the security forces have made inroads into the human rights of the Pandits. Case No.9023/95-96-NHRC, 13, State of Jammu and

Kashmir and Case No.135/9/2003-2004 – WC, State of Jammu and Kashmir are the speaking evidences. Moreover, militants themselves have violated the human rights of the Pandits in several instances. Killing of 34 people by the militants in Chathi Singh Pora village and killing of three Pandits girl students by militants in Srinagar are a few examples. Therefore, the third hypothesis - Kashmiri Pandits have lost all their Human rights in the wake of militancy – is validated.

4. The Kashmiri Pandits are now without homeland. At present a consensus has emerged among the Kashmiri people that the Pandits should be rehabilitated in their own homeland on the banks of river Jhelum. Thus, the fourth hypothesis - Majority of the Jammu and Kashmir people except that the Pandits should be allowed to have their Homeland is tested and proved.

### **Realisation of Objectives**

- 1 The first major objective of the researcher was to investigate the socio-economic and political background of the state of J & K.

The state of J & K formally became a part of the Indian Union on October 27, 1947 when Maharaja Harisingh signed the instrument of Accession. The social life in the state at the time was smooth and steady. There was absolute peace and harmony among the various communities like the Muslim, the Hindus, the Pandits, the Sikhs, and

the Buddhists. Horticulture and agriculture were the main source of income of the people. Politically the society was stable under Raja Harisingh. After merger, the Socio-Economic conditions of the state remained the same as before. At the political plain, the people preferred a participatory government. From 1947 till date the state had witnessed the rule of 16 ministries. The state was put under president rule five times. On the whole the INC was in the seat of power 5 times with clear majority and on 2 occasions in alliance with PDP and NC. Thus the first major objective has been realised.

2. The second objective is to find out how far the aspect of militancy affected socio-economic life of Kashmiri Pandits.

At present the state of J & K is militancy prove state. Militancy took it's birth in the state way back in 1949. Multiplicity of factors Such as poverty, unemployment, religious fundamentalism, illiteracy, discrimination, and demand of separate nation, casteism, corruption, and Army's misbehaviour contributed to the rise of militancy in Kashmir. Kashmir Pandits are the worst affected section of the society. In the wake of militancy the socio-economic life of Kashmiri Pandits became deplorable. They were thrown out of their homeland. They lost all their movables and immovables. There future is in dark and that of their future generation is dismal. At present they have

forced to live in India as refugees. Thus, second objective stands realised.

3. The third objective is to examine the extent to which Human rights in general and fundamental rights guaranteed by the constitution in particular are enjoyable by original native Pandits.

Militancy has made inroads into the human rights of the Pandits. Similarly, they also find themselves in a position not capable of enjoying fundamental rights. During 1990-91 a total of 1184 Pandits were killed by Militants. Even after peace talks, a total of 250 Pandits lost their lives. During 1993-2006, Innumerable instances are there in relation to rapes, molestations, kidnapping and torture. On the part of the government, there are situations of utter failures in which the government failed to provide security and protection to Pandits. There are also examples of Pandits being discriminated in employments by the State. The fact of Pandits being kept in refugee camps and the situations in which they are forced to flee from their homeland is indicative of this. This clearly shows that third objective has been realised.

4. The fourth objective evaluates the demand for homeland by the migrant Pandits.

The demand for homeland by the Pandits goes back to the year 1991. In December 1991 the Pandits organised a margadarshan convention

in the city of Jammu which adopted the historic homeland Resolution. They demand a homeland comprising areas as north of River Jhelum. They also sought UN intervention to solve their demand for homeland. On the whole, all the political parties in J &K, the Muslim Community in general and militant organization with few exceptions like HM,LeT, Al-qadea, Allah Army and Harkat Mujahiden support this demand of the Pandits. Therefore, the last major objective of the study has been realised.

### **Suggestions**

1. Militancy should be checked. The Centre should be honest and keen to evolve a long term strategy to check militancy.
2. Steps should be evolved to do away with apathy and aversion on the part of the people of Jammu and Kashmir. Confidence inducing programmes should be implemented. So as to induce in the minds of the people a sense of belonging to India.
3. Attempts at communal harmony building should be developed, implemented and strengthened.
4. Pandits should be rehabilitated.
5. Social and Economic needs and wants of the people are to be met on a wartime footing.

6. Over and above all, politicians and bureaucrats should rise to the occasion transcending the barriers of their professional, class individual and such other interests.

### **Future of the Problem**

The study is intended to produce further research. A vast part of this area still remains unprobed How and when the Kashmir problem got itself internationalized, motives of Pakistan in fostering militancy in Kashmir, is there anything connected with strategic importance of Jammu and Kashmir location, is there any partial involvement by other state in the form of moral support to Pakistan in this issue and a host of other questions like these are to be probed. Moreover the efficiency and honesty of both the State government and state politicians in finding out a solution even at this belated hour forms a major area of study. Such a multidimensional study will be successful in providing a perpetual solution to the thorny problems inherent in the present Kashmir crisis.