Appendices 1

The Instrument of Accession of Jammu And Kashmir State

(October 26, 1947)

Whereas, the Indian Independences Act, 1947m provides that as from the fifteenth day of August 1947, there shall be set up an independence Dominion known as India, and that the Government of India Act, 1935, shall, with such omissions, additions, adaptations and modifications as the Governor- General may by order specify, be applicable to the Dominion of India.

And whereas the Government of India Act, 1935, as sod adapted by the Governor-General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof;

Now thereof,

I, Shriman Indar Mahandra that I accede to the Dominion of India with the intent that the Governor – General of India, the Dominion Legislator, the Federal Court and any other Dominion authority established for purpose of the Dominion shall, by virtue of this my Instrument of Accession, but subject always to the terms thereof, and for the purpose only of the Dominion, exercise in relation of the State of Jammu and Kashmir (hereafter referred to as “this State”) such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India on the 15th day of August 1947 (which Act as so in force is hereafter to as “the Act”)
2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the Schedule hereto as the matters with respect to which the Dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be demand to form part of this Instrument and shall be constructed and have effect accordingly.

5. The term of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me (in) an Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to Make any law for this State authorizing the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purpose of a Dominion law will at their request the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default or agreement, determined by an arbitrator to be appointed by the Chief Justice of India.
7. Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future construction of India or to fetter my discretion to entire into arrangements with the Government of India any such future construction.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, saves as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be constructed as including a reference to my heirs and successors.

Given under my hand this twenty-sixth day of October, nineteen hundred and forty-seven.

HARI SINGH
Maharaja Dhiraj of Jammu and Kashmir State
Appendices 2

Article 370 of the Indian Constitution (1950)

370 (Temporary provision with respect to the State of Jammu and Kashmir)-

(1) Notwithstanding anything in this Construction,-

(a) The provision of article 238 shall not apply in relation to the State of Jammu and Kashmir;

(b) The power of Parliament to make laws for the said State shall be limited to-

(i) Those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declare by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for State; and

(ii) Such other maters in the said Lists, as, with the concurrence of the State, the President may by order specify.
Explanation—For the purpose of this article, the Government of the State means the person for the being recognized by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharaja’s Proclamation dated the fifth day of March, 1948;

(c) The provisions of article 1 and of this article shall apply in relation to that State;

(d) Such of the other provisions of this Constitution shall apply in relation to that State to such exceptions and modifications as the President may by order specify; Provided that no such order which relates to the matter specified in the Instrument of Accession of the State referred to in paragraph (i) of sub-clause (b) shall be issued except in consultation with the Government of the State: Provided further that no such order which relates to matters other than those referred in the last preceding proviso shall be issued except with the concurrence of that Government.

(2) If the concurrence of the Government of the State referred to in paragraph (11) of sub-clause (b) of Clause (1) or in the second proviso to sub-clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constituent of the State is convened, it
shall be placed before such Assembly for such decision as it may take thereon.

(3) Notwithstanding anything in the Foregoing provision of this article, the President may, by public notification, declare that this article shall to be operative or shall be operative only with such exceptions and modifications and from such date as be may specify:

Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.
Appendices 3

Important Militant Groups Operating in Kashmir

Prominent sixty eight out of more than two hundred terrorist organizations operating in Kashmir –

1. J & K Liberation Front
2. Hizab-ul-Majahedeen
3. Allah Tigers
4. Zia Tigers
5. Islamic Jamait Tulba
6. Dukhtram-e-Milat (Women Wing)
7. Al Bader
8. Operation Balakote
9. Kashmir Freedom Army Guerilla Commando
10. Students Liberation Front
11. Al-Khomeni
12. Hizbi Islami
13. Hizbullah
14. Kashmir Freedom Movement
15. Kashmir Liberation Front
16. J&K Liberation Organisation
17. Peoples League
18. Islamic students League
19. Al-Mehmoodi Mijahdin
20. Inqulabi Council
21. J&K Mahaji Azadi
22. Victory Commando Force
23. Islamic Jamurie Kashmir
24. J&K Inqullabi Front
25. Kashmir Students Force
26. Peoples Liberation Organisation
27. Tehrike Jehad
28. All J & K Soldiers Field Front
29. Hizab-Ullah-Islamic Jammohuria J&K
30. Free army
31. Ikhwan-ul Musalamaan
32. Kashmir Liberation Tiger
33. Peoples Front
34. Hiz-ul-Zaheed
35. National Muslim United Front
36. Al Hamzah
37. Ansor-Ul-Islam
38. Muslim Student Front
39. Tehrique Azadi
40. Jinnah Liberation Tiger
41. Kashmir Freedom KLF Wing
42. K.V.C.
43. T.F.
44. Al Qaida
45. Al Uman Mujahideen Jamiat-ul-Mujahideen
46. Jamiat-ul-Mujahideen
47. Muslim Jaanbaaz Force (MJF)
48. Al Fatah, which first, operated perhaps in late 1950’s and disappeared subsequently to re-appear and regroup in 1995.
49. Ikhwan-ul-Muslimeen.
50. Harkat-ul-Jihad-Islami (Huji)
51. Hizb-I-Islami (Kashmir)
52. Harkat-ul-Ansar (HKA) which has been transformed into Harkat-ul-Majahideen after US ban on the former.

53. Al-Jehad

54. Hurriat Conference (Political Wing)

55. Markaz Dawar (if claims to be in the service of worldwide Muslim Activities)

56. Kashmiri Hiz-Ul-Majahideen

57. Lashkar-e-Toiba

58. Jamait-ul-Furka

59. Zarbi Momin

60. Jamait-ul-Majahideen (Youth Wing)

61. Al Burk

62. Mujahideen-e-Albadir

63. Taliban Militia

64. Fidayeen Group (Suicide Swuad’s of Lashkar-e-Toiba)

65. Majalis-e-Musharat

66. Hizideen Zaki Group

67. Hizbul Mujahideen Tariq Aziz Group

68. Al-Faran

Source: Kashmiri Times, daily Newspaper publishing from Srinagar. 20 September, 1984.
Appendices 4

Kashmiris are with India” – Farooq Abdullah

The Kashmir’s have never desired an independent Kashmir. The term ‘Azad Kashmir’ is Pakistan’s creation. The vast majority of Kashmir’s want to be with India. ‘The last elections have proved it,’ said Farooq Abdullah in an interview at his Sonawar home in Srinagar. At the interview, he revealed the mindset of the Kashmir people.

On the 2nd Nov 1947, when Prime Minister Nehru addressed the people of Kashmir over All India Radio and granted/offered them referendum /plebiscite, did the word trigger instability and terrorism in the state?

Farooq Abdullah: Definitely not! ‘Azad Kashmir’ is a very dated expression. It holds no relevance in the present times. In the recent elections, we saw 63 per cent of the electorate fearlessly exercising their franchise in favor of democracy which implies that their vote was for India.

Then why has terrorism become more entrenched?

Farooq Abdullah: Kashmir has had terrorist organizations and terrorism earlier too. After 2000, Kashmiris are becoming victims of terrorists imported into the state. There are organizations that fund unemployed young men and exhort them to kill their own parents. Over a period, hasn’t all this been shattered. Kashmiris are never for insurgency and terrorism. Kashmiris desire that peace should last.
What is the role of your party, National Conference, in the Kashmir peace process?

**Farooq Abdullah:** Ever since separatist tendencies surfaced in Kashmir, our party has been relentlessly resisting it. The insurgents called my Father, Sheikh Abdullah a spy. We have lost a large number of our party leaders and supporters to bullets of the terrorists. Until this very moment, it is my party that continues to work for a lasting peace in the state.

Is it possible to ensure peace in Kashmir with the crores of rupees being granted by the Indian government?

**Farooq Abdullah:** Lasting peace cannot be achieved anywhere on the globe with mere funds. Only love can create the climate of peace. The money that comes from the government of India goes to meet the cost of maintaining the army, CRPF, intelligence services, weapons for the military and to rehabilitate the hapless victims of terrorism.

Did not the last PDP government set the state back by six decades? After receiving the maximum assistance from the government, they returned of Rs 24 crores because they couldn’t use it. We gave now requested Prime Minister Manmohan Singh to return those funds back to the state.
How do the people prioritize between secularism and terrorism? The Hurriyat leaders say it is against secularism and terrorism. Why does Sayyid Ali Shah Gilani’s voice hold great value for the Kashmiri people?

**Farooq Abdullah:** Look, it is the people’s desire that Kashmir must have a secular government. And that is why we are heading the government with the support of the Congress. Kashmiris are against terrorism. Islam does not permit terrorism. Under certain special circumstances and succumbing to pressures, Kashmiris have been sympathetic to the terrorists. None of the old ideas are valid now. The Kashmiris appreciate the good work done by Sayyid Ali Shah Gilani, but they do retaliate to opportunistic tendencies too.

*It was between 1986 and 1990 when you were the chief minister that 350,000 Kashmiri Pandits fled, lost their motherland and all those things you call anti-secular also took place?*

**Farooq Abdullah:** I have not done anything against the Kashmiri Pandits. Neither Farooq Abdullah nor the National Conference had a role in the whole exercise.

The Kashmiri Pandits were very much part of the Kashmiri Muslims. Right up to this moment, nothing has been done against them. The fleeing of the Pandits is the last in the series of the acts carried out by the Pak-sponsored terrorists. Personally, it was a very painful moment for me. Even when the ultimatum appeared in the Al Farhan newspaper, I had said, ‘Nobody should leave the Kashmir valley.’ but that the terrorist outfits created an uncalled for fear in the
name of religion, was purely with the aim of making independent Kashmir a reality. This was definitely against the secularist ideals that I am strongly in favor of. The state government has given shape to this package that seeks to get back the Kashmiris who abandoned their homeland. All political parties have asked the Kashmiri pandits to return to the homes.

_Innocents are being killed, many have gone missing, killings and gang rapes abound, cultures and traditions are fading out. How can you create peace in Kashmir?_

**Farooq Abdullah:** All that is correct. If India and Pakistan talk openly, this issue can be resolved. Major issues between the two countries should be put on the back bur, and the lesser issues should be taken up and given more weightage/focus. Both nations should understand the Kashmir identity, shed their egos and provide solace to the pained Kashmir. Such an approach would aid in restoring peace. That is exactly what the Manmohan Singh government is trying to do and forging ahead.

*When peace does come, will ‘Azad Kashmir’ become a reality?*

‘Azad Kashmir’ will never become a reality. Kashmiris have never aspired for an independent Kashmir. What you see on the streets, the use of ‘Azad Kashmir’, are all a creation of Pakistan. If Kashmir gets independence, can it survive alone?

Pakistan will never welcome the Kashmiris. Further, they will create rifts among Muslims, and thus destroy Kashmir. A large majority of Kashmiris want
to be with India, and this has been clearly demonstrated in the last elections. In the peace process on the Kashmir issue, there may be ideological differences among the parties concerned, but all parties desire one thing – Kashmir to continue as part of India. That is my ardent wish too.

- Interviewd by Researcher on September 05, 2009 at his residence Sonavar, Srinagar.
Appendices 5

Terrorism and Separatism Cannot Defeat the Kashmiris

Muhammed Ameen is the General Secretary of the DYFK in Kashmir and a Joint Secretary of the DYFI. Born in Kulgam in Kupwara district and only son of his parents. After securing a first class four his B Tech, He was selected for appointment in the NHPC in Assam. He forsook the job to serve the Communist Party. In 1983 he became the first Secretary of the DYFI. In 2000 he became the General Secretary of the DYFI (K). On five separate occasions he miraculously escaped from terrorist attack. He figures 8 on the terrorist’s hit list of ten. Till his very last breath, he will you for the party and the people, and avers this fighter.

As a person who works ceaselessly to ensure jobs and social equity for all and establish socialism, what is the relevance of DYFI in this agonising phase of Kashmir?

DYFI is the sole people’s organization that upholds fighting for issues that affect the people of Kashmir. Ours is the only party that is raising a voice against all this. While other youth organizations adopt an opportunistic stance, the work with the people. Do you know, in Srinagar alone, we are 10,000 strong.

Why is your organization not garnering the people against terrorism in the state?
Nobody’s born a terrorist. They are more victims of circumstances. To distract the youth from being drawn towards terrorism, a large number of programs are being organized. Last year the valley was peaceful. We now hear that some groups the grassroots levels are coming together. We have lost a large number of our compatriots to terrorists. I was attacked five times. None of us has withdrawn.

*The all-party Hurriyat Conference leader Sayyid Ali Shah Gilani accuses the government of failure in the Shopian Incident  Any truth in this?*

This is not the time to assess victory or failure. The bodies of two young women are retrieved from a drain. First it was called a murder, and then it became a suicide. No civilians stay in the area where the bodies were found. Police and CRPF reside all around this locality. I do not know what happened. One thing is sure; the authorities are not coming clean regarding the death of the two young women under suspicious circumstances. Why are no attempts being made to ascertain the truth? Hartals, demonstrations, agitations and bandhs how many crores have been lost on this count?

*Is referendum/plebiscite relevant?*

If a referendum / plebiscite are held now, a large majority of people would want to be with India. Certain pretenders might want an independent Kashmir. Those with a greed for money would prefer to join Pakistan. The Kashmiris who crossed over to Pakistan during the partition detest that country to the very core.
Further, they would like to return to India, and are all praise for what the government is doing for the state. But the bad behavior of just one army man / personnel is enough to undo all this.

*Are the authorities and concerned trying to understand the situation and alleviate the distress of the Kashmiri people?*

This is the real concern. There’s nothing greater than ‘freedom’. Every year so many people go missing in the name of terrorism. The Kashmir psyche, angst, suffering, difficulties, none seems to understand this. Kashmiris succumb to emotions very fast. In the event of a problem instead of the objectively looking at the issue, it is lathi charge, firing and human rights violation that follow. This is the right moment to find a solution to the problem. Sixty-eight percent of the population wants to continue with India. If this opportunity is taken advantage of, peace can be restored.

*Will there be peace in Kashmir? Or will it remain a dream?*

After 2000 there’s been a drastic dip in terrorist activities. India and Pakistan should hold talks to bring peace. Article 370 has to be reinstated. The LOC has to be opened to enable the political package to be workable, the people of both nations should enjoy freedom of movement, opportunities to know the people on either side. Mutual trust and cooperation in all areas will speed up the peace process. All party leaders reiterate the fact that once political bargaining and the game of one-upmanship stops, the two peoples will unite. Pakistan is in a very critical state as if it has been struck by cancer.
India’s timely intervention and attempts to establish peace have encouraged Pakistan in several areas.

*How does the party perceive the Kashmiri Pandits?*

The Pandits are victims of a conspiracy. So many our memberships are from the Pandits community. We have requested pleaded with them on many occasions to return to their land. A small percentage returned. Others remain refugees in different places. The BJP is cashing on their woes. They’ve been taught that Islam is the cause for this condition. When Pakistani terrorists, the separatist forces and fundamentalists combined, the Pandits had to flee. It’s likely that they’ll return very soon. For the last eight years, Diwali and Ramadan are being celebrated with élan.

*In the last Lok Sabha election you were considered a person with high winnability according to the media, but the results proved quite contrary?*

Humshilibo was my constituency where the Jama-at e-Islami is a major influence. That I was not a Muslim and did not believe in god, that I was a communist, were said about me during the campaigns. Besides all of these, there is the money power which defeated me. People know me and I know them; therefore winning and losing was immaterial for me.

*Are you not scared?*

Fear, Never, The state government has provided five armed guards. Now am I not alone here with you? If I feared for myself, would I have come? How long can you live with fear? Except for the terrorists and separatists I am there...
to help all others. There have been five attempts on my life. Even at this moment, there may be an attempt on my life.

*What is your wish?*

When I became an engineer, everyone was happy and proud at home. Now I’m with the suppressed poor unarmed Kashmiris as their spokesman. All I have to tell the thousands of comrades who love me is to fearlessly move on. I am satisfied on all fronts. I shall uphold till death the trust reposed in me by the Party. Transcending racial, religious and narrow attitudes, I would like to stand for secularist ideals.

- Interviewed by researcher on September 05, 2009 at Mehtab Guest house, Rajbagh, Srinagar.
Mohammed Yusuf Tarigami (M.L.A) was born in Tarigami village in Anantnag district. At a very young age, he was drawn to leftist ideology and acquired a membership in the party too. In the last three elections, he was elected on the CPM ticket. He narrowly escaped a Fidayeen attack in Tulsibagh. In 2005, 2006, 2007 and 2008, it was the Lashkar-e-Toiba attacks. He is among the few leaders in the Kashmir valley to receive ‘Z’ Category protection. He has a daughter. Besides this, he has adopted a boy. There is no other leader in the valley that has made so much personal sacrifice for the secularist ideal. A universally accepted leader, his support base of the people transcends party differences. This interview was held at the Sonawar residence of the leader.

As a people’s representative in the Kashmir valley for the last fifteen years, how would you view the Kashmir issue?

My understanding is the result of years of familiarity with the problem. I believe it is the double-edged policies and actions of Pakistan that has made this a complex issue. In the round table conferences held in New Delhi and Pakistan, it has been repeatedly stressed that their interventions in the area are uncalled for and must be brought to a halt. Along with these, there is their exporting terrorism; training camps fomenting fundamentalism and the role of
ISI-funding have been highlighted. The Kashmiris fear a possible loss of their identity. This is the state that carried out land reforms long before even Kerala. But all that is lost.

*Was it not Jawaharlal Nehru’s offer of plebiscite/referendum that created the strong urge for independence in the Kashmiri?*

Under those circumstances, one does not know why Nehru used the term plebiscite/referendum. Today that word is totally irrelevant. The Kashmiris know that it is the devil’s offspring who are demanding plebiscite/referendum. You have visited the valley on 9 occasions did you experience any insecurity.

*How did you win three elections as a candidate of the Communist party, particularly when the parties like Jamaat-e-Islami accuse you of being anti-Muslim?*

The people know me very well. They are aware of the aims and ideals of my party. I stand not for religion, but for secularism. Last year during the elections I was hospitalized following a mishap. In the Kulgam constituency all other parties like the National Conference, Congress and PDP had written off my political career. But, I was re-elected. I contest the elections as a man of the people and for them. Inequalities, human rights violation, denial of justice, imperialist domination, I represent the party that is continuously working against these trends. Till my death I will work to keep the red flag flying higher.
Pakistan says that if India’s boundaries are re-drawn, the issue will be resolved?

Never, Pakistan is not sincere at all. Under the fake label of protecting the Muslim brethren they carry out inhumanities in the Valley.

It is said that many terrorists laid down their arms after understanding your ideals?

Not through my ideas. I function through the party’s ideas. That would possibly have appealed to them and they would have realized their mistake. Do you know that since 1989 it has been the sole aim of all terrorist groups to finish me off. They may succeed in exterminating me, but to snuff out the party’s ideology and policies, or destroy my work, they will not succeed.

How can peace be restored in Kashmir?

Peace is closeby. The lack of sincerity on the part of the two nations is the stumbling block. Open the borders restore Article 370 to its former state, offer self-determination. Do away with uncalled for political interference. Separation is not the answer for anything. There is history of reunification of a people! That does not imply that India and Pakistan must unite. The scarred psyche and the hurt of the people in both lands must be healed.

The fleeing of the Pandits is a failure of the 1500 year old custom and tradition of the state?
The Pandits are mere victims in the power game of the terrorists. But no one in the government tried to provide the appropriate defence against this trend. Why is the BJP shedding crocodile tears for the Pandits? When they came to power did they do anything for these people? A large number of temples in the Valley are protected by the firm believers in the secularist ideals. The Pandits have been asked to return. When they do return who will protect them, provide basic necessities, will they be allowed to continue to practice their customs and traditions, or, will the terrorists carry out mass murders? The authorities responsible for this owe us an explanation. Kashmiris are the milk and Pandits the sugar. Only when the two combine will Kashmir's history be complete.

*Will the Kashmiris stand by India till their last breath?*

Definitely, they will stand by them. The opinion of opportunists who know nothing about Kashmir is totally invalid. Just observe how the Kashmiri took all the risks to keep alive secularism and went to the polling booths to exercise their franchise. Some people will not like all this. Yet, the devil’s offsprings are raising their heads here and there.

*After having achieved all this, is there anything that you would still strive for?*  
For myself, No. It is my party that has made me what I am. The Communist party is my body. I will not give this up. Whether I live or die I will always be with the downtrodden and struggling poor. I joined the party in 1967, followed by a seven year jail term. When the Public Safety Act became effective, I was the first
victim. I live happily with my family. To be able to work for a party that was led by EMS, A K Gopalan, itself, I consider my good fortune. Communism will never die. When the ideas are put into practice there may be flaws. The Party will make amends and surge ahead.

- Interviewed by researcher on September 05, 2009 at his residence H1, Sonavar, and Srinagar.
Appendices 7

Issues can be resolved only through compromise.

Sayyid Ali Shah Geelani is the leader of a group within the APHC. A frontliner in the anti terrorist stand, after Sheikh Abdullah, he is a highly respected leader. Born in 1929, he studied at the Punjab and Kashmir Universities. He began his career as a government teacher and worked in Srinagar and Sopore where he became a member of the Jamaat-e-Islami. In 1959 he gave up his job to become a part of the Kashmir Liberation Movement. He has served prison terms on twelve times for his staunch support of the separatist cause. And on many occasions it was detention. 1972, 1977, 1987, he won in the Assembly elections. In the last elections he stepped down from his post in protest against the election malpractices. He has authored 30 books.

Why are you in a struggle that cannot be realized?

Our struggle is to carry out the assurance given by Prime Minister Jawaharlal Nehru, in the UN on conducting the plebiscite. The Kashmiris are not against anybody. We will strive till we get independence from India, even if you say it cannot be achieved.

Will Kashmir gain independence?

I believe in the all powerful Allah.

All the freedom you enjoy is granted by India?

What freedom are you giving me? Is the forty years of torture in jail my freedom? Which of the freedoms guaranteed by the Indian Constitution do we
enjoy? When I raised the voice demanding the rights and social justice for the Kashmiris, you called me a terrorist. When I asked for a passport to go abroad for treatment, the government refused to issue one. Then what is it that you call ‘freedom’?

*How much longer will Indians have to suffer in the name of Kashmir?*

What suffering? We are the ones going through the worst sufferings. You have put two lakhs army men here for the Kashmiris. In the last ten years so many people have gone missing. Do you know the number of women that have been raped? Can the people of Kashmir travel peacefully in their own homeland?

*In the elections held under the terrorist threat nearly twenty per cent of the Kashmiris cast their votes. Does it not mean they love India?*

Who has given you all this wrong information? According to the government’s estimates 11 per cent have exercised their franchise. We know that only 3 per cent votes have been polled. The people of Kashmir are against opportunistic politics.

*Will you take part in the next elections?*

India has held Kashmir under its control and you want me to contest such an election. Never, I will call for a boycott of these elections.

*Is it not the opportunistic approach of the Hurriyat leaders that is proving an obstruction?*
We have never worked against peace, nor encouraged terrorist activities. When you came to my house did you see any bodyguards around? After such a long conversation with me do you find me an opportunist? Some say we are Pakistan’s supporters, all white lies. The love and kindness we receive from the Kashmiris, we are eternally grateful for it. We are once again telling the Indian government, we wish for peace. But we are not willing to stand before anyone with a begging bowl to achieve that. We have to be rightly accorded the justice and status that is our due.

*Why do you seek the presence of the international community to solve the Kashmir issue?*

India has not yet recognized Kashmir as disputed territory. It is to ensure the presence of the UN that we are asking for international presence.

*Terrorism in Kashmir has caused three and a half lakh Pandits to become homeless, 40,000 innocent lives have been lost. Can you reconcile yourself to this?*

Brother, I have never encouraged terrorist activities. Is the demand for rights and social justice a terrorist activity? Nearly a lakh of Kashmiris have incurred heavy losses on this count. We never sent out the Pandits. The Hurriyat has repeatedly asked them to return. This year nearly 15 families have returned. But who will look into their safety? If something happens to them the Hurriyat will once again be framed as a terrorist group. Look we do not hate the Hindus, Sikhs or Christians. All this is created by India.
In sixty years the problem has taken its toll on innumerable lives. One does not know if any one is alive or dead. Does this not have to end?

Definitely, India is not willing to make any concessions. The representatives of the India and Pakistan governments and representatives of the Kashmiri people must talk openly. If the realities are taken into consideration then talks can be conclusive. But, isn’t India trying to get things done by holding the Kashmiris at gunpoint.

If the Hurriyat is to move intelligently will the problem not find an easy solution?

I told you. We’re ready. India must carry out the plebiscite. But controlling with might, nothing will come of it.

Are you satisfied with your life so far?

Allah protects me. I don’t hold any grudges against the officials who battered me and damaged my kidney during my incarceration in the Ranchi jail. I have no passport. I underwent two surgeries at the Tata Memorial Hospital in Mumbai. I had sought permission to travel abroad for quality treatment. In the eyes of government, we’re anti-national. Do you know the terrible things they spread against Kashmir? Do you find this a terrorist state? Any unpleasant experiences from the Kashmiris. Then why so many armed personnel have been posted under the guise of protection for the Kashmiris? When Bill Clinton came here for a visit, weren’t 48 people killed? Why is India putting on this act is not under these conditions India can never acquire Kashmir. Let the concessions come from India. Most importantly, withdraw the armed forces,
withdraw the special rights granted to them, order an impartial inquiry about the missing persons, and take action against officials who trouble the Kashmiris. The Indian, Pakistani and Kashmiri leadership should hold talks to ensure that fundamental rights and social justice are available to the Kashmiri people. We have to discern that these things are happening. We are ready for a resolution of the Kashmiri problem.

- Interviewed by researcher on May 29, 2008 at his residence Hyderpora, Srinagar.
Sajjad Ghani Lone is the chief of the Kashmiri People’s Conference and son of the former Hurriyat leader Late Abdul Ghani Lone. At one time, Sajjad Ghani Lone was known for his vociferous and anti-India stand. Now he stands with India and works in the peace efforts. He contested from Anantnag constituency for the Lok Sabha elections. His daughter Shabnam Ghani Lone was fielded as an independent candidate for the assembly elections from the Kupwara constituency. India had announced a reward of Rs 10 lakhs on Ghani Lone who is now a staunch supporter of India, and for peace. He shares his points of view on Kashmir.

As one who created the environment of terror in the Kashmir valley, how would you explain the present stand of speaking for peace?

The Kashmir People’s Conference has never been supporting the culture of the gun. We’re only asking the Government of India to grant us plebiscite/referendum that was offered by Prime Minister Jawaharlan Hehru on 2 January 1947. Had the people not heard it over the All India Radio? But to get it, we will never embrace violence.

Why are you demanding that the Ireland model be adopted here?

Large areas which had succumbed to violence as a result of longstanding rivalry between the Catholics and Protestants have been able to establish peace
based on the Good Friday Agreement. Only with dedication and much give-and-take can the Government of India make peace workable.

_Do not the election results reflect the desire of Kashmiris to be with India?_

We have never boycotted the elections. My daughter (Shabnam Ghani Lone) is contesting from the Kupwara constituency as an independent candidate.

_How much longer do the Indians have to suffer the hardships and difficulties?_

Peace cannot be achieved in one stroke. Do you know that for 35 days before Eid, I was under house arrest? Unexpected curfews, bandhs, hartals, agitations, all these have become part of our lives. This is the state where curfew was declared on 14<sup>th</sup> December when the Prime Minister arrived here. If, like you say, Kashmir is an integral part of India, then how do you explain this act? Why are Kashmiris not able to exercise their right to franchise as granted under the Indian Constitution?

_The 2002 elections saw just 12 per cent exercise their franchise and this time it was above 63 per cent. Does it not reflect the Kashmiri’s desire for peace?_

We’re not against peace. I take part in all the peace talks with India. I exchange ideas. I participate in the talks with Pakistan also. Political betrayals, political games, opportunistic policies, all this must be ended only then we can have peace. Definitely, this time’s results of the first to the fifth stages of the election
point to the Kashmiri people’s desire for peace. But this should not be reckoned as a weakness by the Delhi government.

*Why are the Kashmiris not protecting the lives of the Pandits?*

We had appealed to the Pandits. Surely, we love them. The Pujari at the Shankaracharya Temple in Srinagar has been here for ages. You can ask him. It is all part of the BJP political ruse. By spreading the canard that Muslims are harming the Hindus, the Muslim is represented as an enemy of the Hindu. The BJP seeks just that. You have visited the valley eight times. Have you ever been able to identify the Kashmiris as killers?

*Three and a half lakh Pandits have lost their homes. Like frightened rabbits, they seek refuge in their holes. Is that not due to the artifice of your party?*

It’s not just the Pandits. Since 1947 Nearly 28,000 Muslims have lost their lives. Many more have lost their homes, many have been attacked. Why is not the BJP asking the Pandits to return to Kashmir? All this is part of the politics. Create a picture of being refugees in their own homeland, seeking their votes and then discard them. Language or religions are not issues for terrorists. Aren’t Muslims being killed? The Kashmir Peoples Conference welcomes all the Pandits to their homeland.

*The problems during the Amarnath Yatra point an accusing finger at the Kashmiris?*

No genuine Muslim will raise his gun against another religion. Pilgrims have been going there unharmed and returning, for many long years. Did the
Muslims ever attack them? Except for sporadic incidents, have we not protected our Hindu brethren? Protest was only against offering land by displacing the local people and harming the culture. The loss is ours alone. Many of the taxi drivers who went to Jammu were attacked by the communalists. Muslim houses were attacked, weren’t they? We provide security to the taxi drivers who came to the Kashmir valley from Jammu. No single Hindu was attacked. Did you take notice of the national dailies of that time? Look, the communal parties seek not equality, but just Hindutva.

“All Kashmiris are terrorists, all terrorists are Kashmiris,” says the news. Is it right? For all the terrorist attacks in India, isn’t Kashmir under the scanner?

All this is a creation of the Media, the creation of those who have never seen Kashmir even once, the creation of strangers. Kashmiris do not encourage terrorism. They wish for peace The Jammu Kashmir Peoples’ Conference want peace with India. If there are wrongdoers let them be brought before before the law. Threats, scheming, pressure tactics all this will not succeed in bringing Kashmiris down to their knees. How many innocents just disappeared last year? Are all of them terrorists? You will not understand the anguish of their families. Are they alive – or dead – nothing is known.

The terrorist groups that are active in Kashmir are recruiting cadre from other states, it is said. Is it correct?

The ordinary Kashmiri is against terrorism. In the Lolab valley in Kupwara people from your state were killed, so we understand from the newspapers.
Terrorism, recruitment, enquiry into all this is not my task. Aren’t the government and army meant for this?

*Who will win these elections?*

I don’t know. Whoever gets the majority if they do not take the Kashmiri’s demands into consideration, they will not be able to move ahead. The old approach and attitudes are changing. Political equations are changing. Kashmiris are forging ahead in education. The process of self reliance goes on, barring solitary stratagems.

*Is peace still distant?*

Peace is at hand. But the hands that have to execute it are tied, only when those hands are free will permanent peace return. I will never work against the peoples’ sovereign interests, as a traitor, nor against peace. We hope and work for peace only. Even if death comes in the course of such a life, India should not consider Sajjad Ghani Lone as a traitor.

- Interviewed by Resercher on 10 January 2009, at his residence Rawalpore, Srinagar.
Appendices 9
Questionnaire

(This questionnaire forms part of the research work leading to Phd in Political science entitled Militancy in Kashmir and Socio-Economic Situations of Pandits. The information collected from the experts would be kept confidential and used only for the purpose of this study.)

Name Male/Female

Age Cast

1. Where are you living?
2. How many members are in your home?
3. How many childrens do you have?
4. Are they studying? Which class?
5. How many persons are employed in your family?
6. How about your living conditions?
7. Are you celebrating your Festivals?
8. What about your Social conditions?
9. Do you know anything about migrant camps?
10. What about migrant Pandit families?
11. More about your education and Job?
12. What about Pandit womans life?
13. Can you give something about literacy status and living conditions of Pandits?
14. Are you getting any financial help from Government?
15. What are the subsidies getting from State and central Governments?
16. What is your opinion about PM package?
17. What about the economic destabilisation of Kashmiri Pandits?
18. Do you know anything about missing persons?
19. Why Pandits are demanding UN to solve this problem?
20. What is your impression about Indian Government?
21. What is panun Kashmir?
22. What about Pandits present Economic Conditions?
23. Can you tell something about Genocide?
24. Your feelings about militancy?
25. Do you have any solution to solve this problem?
27. Are you remembering those painful days?
28. Can you share your feelings about those days?
29. Tell me something about political parties of J&K?
30. Are you satisfied with present ruling party?
31. Where do you like to live?
32. What are the health problems you faced?
33. What are the economic problems you faced?
34. What about your employment positions?

35. What are the problems facing women and children?

36. What about migrant children education?

37. What are the religious and cultural problems you faced?

38. Are you facing difficulties in your daily life?

39. What are the subsidies getting from government?

40. Are you afraid about present life?

41. Your opinion regarding Homeland?