

**JAMMU AND KASHMIR POLICE**

**INSTITUTE OF PEACE AND CONFLICT STUDIES**



# Consolidating Peace

**AND SUSTAINING THE IMPROVED  
SECURITY SCENARIO IN J&K**



DEVYANI SRIVASTAVA  
PRIYASHREE ANDLEY

**CONFERENCE REPORT**

*Report of Conference held on 3-4 May 2007*



## PROGRAM

**Day One: 3 May 2007**

### **0930-1100 hrs INAUGURAL SESSION**

WELCOME ADDRESS  
**Mr Shiv Sahai**, IGP, Kashmir

WELCOME ADDRESS  
**Maj Gen (Retd) Dipankar Banerjee**, Director, IPCS

WELCOME ADDRESS  
**Mr Gopal Sharma**, DGP, J&K

KEYNOTE ADDRESS  
**Lt Gen (Retd) SK Sinha**, Governor of Jammu and Kashmir

1100-1130hrs Tea & Coffee

### **1130-1330 hrs SESSION 1: PEACE PROCESS & ECONOMIC DIMENSIONS**

Chair: **Mr Farooq Ahmad**, Director, Tourism

PEACE THROUGH ECONOMIC RECONSTRUCTION  
**Dr Haseeb Drabu**, Chairman & CEO, JK Bank

INVITING INVESTMENT IN J&K  
**Mr AM Mir**, Deputy Chairman, Kashmir Chamber for Commerce

DEVELOPMENT OF INDUSTRY IN J&K  
**Mr Ram Sahai**, President, Jammu Chamber for Commerce

Discussions

1330-1430hrs Lunch

### **1430-1700 hrs SESSION 2: ROLE OF INSTITUTIONS & MEDIA IN STRENGTHENING CREDIBILITY OF STATE**

Chair: **Amb Lalit Mansingh**, Former Foreign Secretary

ARMY AS A DEFENDER OF DEMOCRACY  
**Maj Gen Prakash Menon**, MGGs, Northern Command

LAW ENFORCEMENT & MEDIA PERCEPTIONS

**Mr Muzamil Jaleel**, Bureau Chief-Jammu and Kashmir,  
*The Indian Express*

EVOLUTION OF ELECTORAL PROCESS AND ELECTION  
COMMISSION OF INDIA

**Dr Gul Mohammad**, Professor, Kashmir University

IMPACT OF KASHMIR EDUCATIONAL DIASPORA

**Mr Aga Ashraf**, Educationist

RECAPTURING THE SPIRIT OF ARTICLE 370: INDIAN  
CONSTITUTION AND FEDERAL STRUCTURE IN J&K

**Dr Navnita Chaddha Behera**, Professor, Jamia Milia  
Islamia

Discussions

(1545-1600 hrs - Tea & Coffee)

## **Day Two: 4 May 2007**

### **0930-1100 hrs SESSION 3: SOCIO-CULTURAL LINKAGES**

Chair: **Mr Shujaat Bukhari**, Special Correspondent, *The Hindu*

J&K STATE: CULTURAL POLITICAL SOCIAL LINKAGES  
WITH SOUTH ASIA

**Dr Siddiq Wahid**, Vice Chancellor, Islamic University,  
Kashmir

KASHMIR'S EMOTIONAL INTEGRATION

**Mr Salem Beig**, State Convener, INTACH

INTER COMMUNITY DIALOGUE POST-1990

**Mr AK Deewani**, Activist and Educationist

SHEIKH-UL-ALAM, LAL DED AND KASHMIR'S SECULAR  
ETHOS

**Mr Ahmad Ali Fayaz**, Srinagar Bureau Chief, *Daily Excelsior*

Discussions

1100-1130hrs Tea & Coffee

**1130-1300 hrs SESSION 4: SECURITY**

Chair: **Amb Salman Haider**, Former Foreign Secretary

DYNAMICS OF SECURITY SITUATION AND WAY AHEAD  
**Lt Gen A S Sekhon**, GOC, 15 Corps, Kashmir

MOVE FROM INSURGENCY TO TERRORISM  
**Mr Gopal Sharma**, DGP, J&K

1300-1400hrs Lunch

**1400-1600 hrs Session 4 Cont.**

EXTERNAL DIMENSIONS OF MILITANCY  
**Mr Praveen Swami**, Delhi Bureau Chief, *Frontline*

SECURITY SCENARIO: WORM'S EYE VIEW  
**Mr Shujaat Bukhari**, Special Correspondent, *The Hindu*

Discussions

1600-1630hrs Tea & Coffee

**1630-1730 hrs VALEDICTORY SESSION**

CONCLUDING REMARKS AND WAY FORWARD  
**Maj Gen (Retd) Dipankar Banerjee**, Director, IPCS

VALEDICTORY ADDRESS  
**Mr ESL Narasimhan**, Governor of Chhattisgarh

VOTE OF THANKS  
**Mr Shiv Sahai**, IGP, Kashmir



*Inaugural  
Session*

# Consolidating Peace

## AND SUSTAINING THE IMPROVED SECURITY SCENARIO

The Institute of Peace and Conflict Studies, in collaboration with the J&K Police held a two-day national conference on 'Consolidating Peace and Sustaining the Improved Security Scenario in Jammu and Kashmir' at the Sher-i-Kashmir International Convention Centre in Srinagar from 3-4 May 2007. Four major issues - Economy, Role of Institutions, Socio-Cultural Linkages and Security – were addressed within the larger theme of the conference. In addition to officials and experts, there was overwhelming participation from civil society particularly from leading academics, and media and other professionals.

### INAUGURAL SESSION

Gopal Sharma, Director General of Police, Shiv Sahai, Inspector General Police, Kashmir, and Maj Gen Dipankar Banerjee, Director of Institute of Peace and Conflict Studies (IPCS), provided a backdrop to the conference and welcomed the participants. Lt Gen (Retd) SK Sinha, Governor of Jammu and Kashmir delivered the Keynote Address. Other special invitees included Farooq Abdullah, former Chief Minister of J&K, and Ambassadors Salman Haidar and Lalit Mansingh, both former Foreign Secretaries.

### Keynote Address

**Lt Gen (Retd) SK Sinha, Governor, Jammu and Kashmir**

Today, the prospects of peace are much better than what they were in the past. The people of Pakistan are yearning for peace and people-to-people contact has proved successful. The change of heart of President Pervez Musharraf is evident from his shift from the commander in Kargil War to favouring peace and not a military solution to the Kashmir issue. The recent visit by Sardar Qayyum Khan, former Prime Minister of PoK, indicated that independence is not a viable solution for Kashmir.

There is an increasing acceptance in the world of the Indian position in Kashmir. Both India and Pakistan have shown flexibility in their positions on Kashmir. While the UN resolutions



*Gopal Sharma, Director General of Police, Jammu & Kashmir*



*Maj Gen (Retd.) Dipankar Banerjee, Director, IPCS*



*Lt Gen (Retd.) SK Sinha,  
Governor, Jammu & Kashmir*

and demands for plebiscite have been rejected, there is consensus and agreement on the composite dialogue. Roundtable conferences within the state have also gained popularity. However, it is a pity some separatists have not joined the dialogue process. It is hoped that they will come on board as development and prosperity cannot be held hostage. Progress in the field of development is urgently required so as to meet the aspirations of the people

The role of the security forces needs to be appreciated. The Army played an important role in containing violence and reaching out to the people. They need to reach out now to the hearts and minds

of the people. Their role in the 2005 earthquake deserves special mention. Human rights violations are most unfortunate and agitate people. Though the record of the Indian Army in honouring human rights is quite high, there are some black sheep among them who commit these excesses and therefore need to be viewed in the right perspective.

On Musharraf's four-point formula, steps like troop reduction and making LoC irrelevant cannot be taken up until cross-border terror infrastructure has been totally dismantled. On the issue of self-rule, India is recognized as the most vibrant democracy in the world and the degree of self-rule



in Jammu and Kashmir is greater than in any other state of the country. However, there is still room for improvement in devolution of power at grassroots level.



*Farooq Abdullah, former Chief  
Minister, Jammu & Kashmir*

Demilitarization of Jammu and Kashmir is not practicable even if complete peace is restored. The Army and police cannot lower the guard or become complacent as the threat of violence continues. Demilitarization means an area without the presence of military. Just as it is not possible to demilitarize any of the border states like Punjab or Rajasthan, likewise demilitarization in J&K is not an option. Joint control or management of the border concerns the security of the country and therefore,



there can be no joint management. This, however, does not rule out joint mechanisms for cooperation in areas like trade, environmental concerns and tourism.

In the age of globalization, economics will take precedence over other things as is evident in the European Union. It took a long time for EU to come into being. India should move in that direction. This would benefit India, Pakistan and the people of Jammu and Kashmir.



*Shiv Sahai,  
Inspector General of Police, Kashmir*

## **SESSION I: PEACE PROCESS AND ECONOMIC DIMENSIONS**

### **Peace through Economic Reconstruction**

**Haseeb Drabu, Chairman, Jammu and Kashmir Bank**

Economic policy and performance interfaces with peace at three levels: origin of conflict, period of conflict and post-conflict. Economic factors play a very significant role in the origin of civil strife. Whenever a country or a region goes through a period of consistent slow economic growth, it leads to conflict. This is largely because growth has a social component. When a certain model of growth is forced upon a society without preparing the society for that kind of growth, it proves to be socially disruptive. Moreover, it is important for growth to be even across all regions, for, an uneven growth results in unrest that gets articulated in civil society strife. In the case of J&K, economic growth has been socially disruptive because contribution of local endowments and resources has been very marginal. The size of investment that has taken place has not exploited local resources. To this extent, growth has been fostered from outside, and therefore, had not been sustainable. However, this holds true not only for the state of J&K but also for many other states of India. While India comprises of almost 28 different economies put together, the central economic planning process, adopted from the socialist model of growth, subjected the states to uniform economic plans. As a result, fixed allocation of funds was made to the states by the centre. Since the states could not question the amount allocated due to the risk of losing whatever was made available, they invariably turned to alternative paths of compromising on delivery. The problem therefore was the degree of uniformity across



*Haseeb Drabu,  
Chairman, Jammu & Kashmir Bank*

the width and breadth of India and lack of means for redressing the grievances in the planning process.



During the period of conflict, the state lost its authority and capacity to enforce financial discipline. While on the one hand, the state began to lose revenue as taxes were not paid, on the other hand, the state's expenditure continued to rise. Unabated conflict has resulted in the state being unable to undertake development projects and the whole mindset has become non-developmental. Production capabilities got destroyed; expenditure rose disproportionately and resources continued to shrink. For instance, the J&K state financial corporation today is virtually defunct. In 1991, it had only 2 percent in non-performing assets; by 1997 this had soared to 99 percent. The state of unemployment thereafter pushed the people to seek alternatives outside the system.

Finally, the third aspect is economics in the post-conflict period. Here, it is important to ensure that peace comes through economic reconstruction. Systems of economic reconstruction need to be built. In the state of J&K, a reconstruction plan has been introduced which looks at the construction of economy in terms of institutions, systems, policies and then transplant the plan to lead from conflict to peace. This will not provide the solution to the conflict but an enabling environment that can carry forward any other efforts that the state might have to improve the lives of the people.

### **Development of Industry in J&K**

*Ram Sahai, Chairman, Jammu Chambers of Commerce*



Recognizing the role of development of economy and industry in tackling militancy, the government of India as well as the government of J&K has provided special packages of incentives for industrial development aimed at receiving substantial investment from outside the state. However, the packages are not as attractive as the ones being offered to other states including Uttaranchal, Himachal, and the Northeastern states. This is primarily due to impediments in the state such as paucity of land, non-availability of power, provision of

*Ram Sahai, Chairman,  
Jammu Chambers of Commerce*



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incentive for particular  *khasra*  numbers only and the negative mindset of the government officers.

As per opportunities for economic cooperation between India and Pakistan, there is tremendous scope for strengthening the relationship based on greater interdependence and complementarity of interests. Factors such as short distance with lesser freight, familiarity with each other's trade practices, fashions and needs underline the opportunities for bilateral trade between the two countries. The grant of MFN status by Pakistan to India, liberalization of visa regulations and grant of multiple business visas with exemption from police reporting, greater flow of business information, development of product-specific joint trading houses and opening of branches of the commercial banks of both countries in the other's country are some of the issues which merit serious attention by both governments. It is also important to diversify the economic relationship beyond bilateral trade to cooperation in services, tourism industry, and transfer of technology in areas like horticulture, food processing, and so on.



In the end, peace and economic growth are complementary to each other. Therefore, greater development of industry and trading activities in the region is very important for immediate generation of employment, leading to the general well-being of the people and to peace.

### Inviting Investment in J&K

*AM Mir, Deputy Chairman, Kashmir Chambers of Commerce*

The state of J&K, and in particular the Kashmir Valley has suffered severe economic setbacks due to turmoil in the region over the past 17 years. Every sector of economy has been affected, be it handicrafts production, the horticulture sector, medium and small-scale industrial units, the tourism sector (which is suffering from shattered infrastructure resulting from poorly maintained hotels and house boat accommodation), poor connectivity (J&K is connected to the rest of the country by just one high way); or the power sector, which has so far exploited only 10 percent of the potential of 40,000 MW in hydropower.



*AM Mir, Deputy Chairman,  
Kashmir Chambers of Commerce*

There are many sectors within Kashmir that require development and which offer immense potential for investment such as its mineral resources (including sapphire and ruby), telecom services and information technology, artisan development, skill upgradation, and organization of production, finance and marketing. It is important for



the central government to obviate any impediments coming in the way of getting such investments to the state. Measures such as declaring the whole Valley as a Special Economic Zone and introducing a conflict insurance scheme will pave the way for smooth investment in the state of J&K.

The central government should also come forward to provide additional financial support to existing projects within J&K such as the Baglihar project, and other micro, mini and small hydro projects.

Moreover, an asset reconstruction company needs to be established in J&K to take over non-performing assets and refurbish the balance sheets of financial institutions.

### Peace Process and Economic Dimensions

**Farooq Ahmad Shah, Director, Tourism**

No peace process can be expected to succeed unless the economic causes of the conflict are looked into and taken care of. Economic intervention in a conflict-torn region can yield not only desired results in terms of economic benefits for the people, it can also assure political dividends in the form of peace. A classic example of the benefits of economic intervention is the prosperity achieved by the small south

European country Andorra (long torn by conflict) situated between France and Spain through its tourism industry. This demonstrates the contribution of the tourism industry, the largest and fastest growing industry in the world, to economic development.



***Farooq Ahmad Shah,***  
***Director, Tourism***

As for the state of Jammu and Kashmir, it is important that tourism development occurs in a manner that ropes in the local people into wider schemes of things. Revitalization of state-owned enterprises, particularly in the tourism industry is needed to boost the economy by generating employment for the unemployed and create

enterprises that could ultimately provide services in demand here. Reopening small tourism-related ventures with different government agencies in partnership with the local people can, for example, show joint commitment to progress and restore a sense of normalcy.

### Discussion

- Is the large scale planning of investment in the state meeting regional requirements? Is the government doing anything in the area of microfinance programmes that would benefit the local people? Moreover, since the Army in Kashmir has been reaching out to rural areas through the programme of *Sadbhavna*, is a tie up between the Army and the bank on microfinance programmes possible in the near future?
- *The Jammu and Kashmir Bank has started microfinance programmes at flea markets in Lal Chowk, Srinagar. The results have been positive so far. On the question of Army undertaking microfinance programmes, it would be better for it to assist the Bank in its efforts rather than directly undertaking such programmes. For instance, in Ladakh, the Bank started a programme that allowed the Army to purchase its daily resources like ration from the local people instead of getting it from outside. This kind of a partnership between the Army and the Bank is very desirable.*
- Kashmir has all along suffered from lopsided planning. There has always been a problem of too little too late. The fact remains that there has been a drop in tourism not only due to militancy but also because of poor infrastructure. With poor roads, air and rail connectivity, there is no incentive to bring tourists to the state. The local needs of the people remain unaddressed. The national banks never invested in the region. In the tourism sector, no training is offered in Kashmiri universities. Six months of winter permits only six months of economic activity. Kashmiris have been misled and their economic activity had moved them away from being producers to debtors and to being dependent on others.
- Jammu and Kashmir Bank is equally to be blamed for the problem of low investment within the state. It did very little



during the period of turmoil from 1990 to 2004. It directed most of its lending to Delhi and Mumbai instead of within the state.



- Is anything being done to depoliticize the economic policy making process based on the needs of the three regions of the state? The relative inequality between the three regions of the state has increased substantially even while overall poverty has gone down.

- A finance commission has been set up to look into allocation of funds between the three regions of the state keeping in

*mind their respective areas of competence. So far, a very ad-hoc economic policy was being pursued by the Kashmiri state. But now a genuine attempt is being made to address the different needs of the three regions.*

- Consistent slow economic growth need not necessarily lead to conflict as is evident from many small European countries which continue to have slow economic growth but are not witness to any conflict. Kashmir's case is unique because the genesis of the conflict was the development of an economic structure in the state which was completely hostile to the needs of local people. While on the one hand the absorption of local people into



primary sectors of growth has been very low, on the other hand, the liberal funding by the central government has resulted in financial dependence of the state on the centre. This dependence has caused relative deprivation of the masses as well as of the capacity to build the state.

- The problem of economic development in the state is not so much the underutilization of local

resources as poor implementation of the larger plans deliberated by the government. With very long gestation periods, there is a serious problem of quality control. There is a need to design a methodological implementation of such plans.



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- Tourism in Kashmir today is confined to include only a stay in houseboats and better connectivity. Instead, an effective way of promoting tourism would be through cultural events such as art exhibitions. However, artists from Kashmir have never been given adequate gallery space to showcase their work.

### SESSION II: ROLE OF INSTITUTIONS AND MEDIA IN STRENGTHENING CREDIBILITY OF STATE

#### Introductory Remarks

**Lalit Mansingh**, *Former Foreign Secretary*

The issues of Jammu and Kashmir and Indo-Pak relations remain the most debated in Indian foreign policy making. Diplomacy in Kashmir was not successful because the story of the state after partition in 1947 was not credible enough to get across. The Indian

response of denial was incorrect and the security forces (Army and police) did not share intelligence information. However, post-2001 and following the election of 2002, the situation has changed as the security forces shared the required information to make the story more credible.



**Amb Lalit Mansingh**,  
*Former Indian Foreign Secretary*

#### Army as a Defender of Democracy

**Maj Gen Prakash Menon**, *Major-General, General Staff (MGGs), Northern Command*

The Army was ordered to involve itself in the state because the situation was beyond the control of the local security forces. However, the Army's efforts to bring down violence levels were always in conjunction with the latter. The Army's presence is overwhelming but the situation has changed over the years and the police are able to manage the situation to an extent. However, they cannot tackle it alone. The best way to fight it is by involving the locals.

The Army is doing its duty but operational employment aimed at neutralizing militants has an impact on democracy. The Army is concerned with the protection of democratic values that are



**Maj Gen Prakash Menon**,  
*MGGs, Northern Command*



threatened by the gun. In essence, there has to be a certain amount of sacrifice of democratic freedom to ensure security, but the question is how much? In recent years, the level of violence has come down but technology has enabled small groups to perpetuate disasters and terrorize populations. As a result the threat of terror persists.



The Army remains subservient to the civil authority and acknowledges its faults. Its operations always emphasize transparency. Fake encounter killings, however, cannot be used to generalize opinion on the credibility of the Army.

### Law Enforcement and Media Perceptions

*Muzamil Jaleel, Bureau Chief, Jammu and Kashmir, Indian Express*

Media has to deal with reality. Perceptions represent the inherent tension between the government and the media. In Kashmir, this tension is stark as exemplified by the reports on fake encounter killings and sex scandals. Despite the media's focus on the fake encounter killings, the charge sheet was filed only against the police officers and not the Army men. The greatest challenge in reporting in Jammu and Kashmir is the lack of neutral space for the media. The Kashmir media is negotiating for this space. The media is seen as an information house between the government and the people, and victims of militancy or human rights violations in the state turn to the media for help.



*Muzamil Jaleel,  
J&K Bureau Chief, Indian Express*

Media perceptions are influenced by the activities of the law enforcement agencies, and law enforcement agencies' perceptions on the media are dictated by the media's reporting. The media relies on law enforcement agencies to get information. However, it is always blamed for releasing that information. Law enforcement agencies have lost trust in the eyes of the media because of their track record. The roots of distrust need to be addressed. In the last 18 years, law enforcement agencies have sided with the corrupt.

The Pathribal case in 2000 was named as a counterinsurgency operation. However, seven years later, it has turned out to be killing of innocent civilians and the CBI is still discussing the possibility of probing the Army. Similarly, the police closed many cases of civilian killings in

the 1990s. Over the years, law enforcement agencies have failed to resolve the issue of missing persons. Due to the erosion of credibility of these institutions, small progressive steps are not appreciated. In the present situation, the media should ensure a continuous debate on law enforcement credibility.



### Evolution of the Electoral Process and Election Commission of India

**Gul Mohammad**, *Professor, Kashmir University*

What is the role of the election commission in J&K? Why were the parameters of free and fair elections not followed? Why were free and fair elections followed only during certain periods of political stability? The state election commission was responsible for the Constituent Assembly election in 1961. The elections of 1957, 1962 and 1967 were all held when state leaders upheld the Union of India. Nevertheless, in all these elections, the government machinery was used against the opposition.

Like the state commission, the central commission too could not restore the credibility of the electoral process. Local and state elites eroded the political and democratic norms and the number of separatists increased. After the first few elections, the role of the central commission was minimal and by the 1970s, the central government did not even support the winner. The 1987 elections abrogated the Constitution and the Election Commission of India. Eventually, this led to armed militancy in the state.

The 2002 elections were a landmark in the history of state elections. It marked a gradual awakening within the state. The role of civil society and institutions increased. Though in 20 out of 24 constituencies, the security forces forced people to vote, they left it to the people to exercise their independent choice. However, the credibility of the institutions remains a controversial issue and the role of the election commission needs to be strictly monitored.



**Gul Mohammad**,  
*Professor, Kashmir University*

## Impact of the Kashmir Diaspora

**Aga Ashraf, Educationist**



*Aga Ashraf,  
Educationist*

The role of the Kashmiri diaspora is very significant. The diaspora has selected 10,000-30,000 Kashmiri students to send to all parts of the world for pursuing further education. Is it beyond the capacity of the Indian government to keep five to ten seats for the same? Many argue that the peace process will go on, but there will be no peace. The education policy of India has produced such a situation. Primary education is not given importance while secondary or tertiary education is the main area of investment. As a result, thousands of doctors are unemployed in the state. These unemployed Kashmiris are willing to apply for jobs of schoolteachers who are paid just around Rs.1500 per month. This can be termed as the "opportunistic blindness" of Indian policy. For the last 50 years, there has been no suitable public library in the state. Corruption too has increased over the years.

## Recapturing the Spirit of Article 370: Indian Constitution and Federal Structure in J&K

**Navnita Chadha Behera, Professor, Jamia Milia Islamia University**



*Navnita Chadha Behera, Professor,  
Jamia Milia Islamia University*

The issue of J&K continues to be misunderstood as an ideological conflict (between Hindus and Muslims) and as a territorial dispute. It was always a matter of 'state making' between India and Pakistan and which vision of the state got prominence. The state of J&K opted for India because of the political choice of the National Conference. Sheikh Abdullah's 'Naya Kashmir' was similar to the Indian democratic and secular system rather than the feudal system of Pakistan. Political structures provide the sanctity and other institutions play a supporting role.

The elections of 2002 showed that the ballot matters. People were willing to vote in elections despite the threat of militancy. The People's Democratic Party (PDP) laid a new base for itself in 2002. However, it is eating into the Hurriyat's space. Political agendas of the parties are becoming blurred and most of them

have the same parameters. Self-rule and autonomy are the slogans of all critical players. However, they refuse to sit face-to-face to discuss them with each other. If J&K wants a federal relation with India then state structures have to be federalized. Battles must be fought within the political domain. Political mobilization of people has however, aggravated the problem.

Article 370 is more maligned and abused rather than adhered to. The spirit of Article 370 is indicative of Nehru's answer to Pakistan, displaying the flexibility of the Indian Constitution and respecting the special needs of the state. It was an autonomous concept. However, the instrumentality of the Article reflects flaws. For instance, in the mid-1990s there were demands for autonomy in Poonch and Rajouri. Communal fault lines will create more problems and there is no recipe to resolve the issue until diversity is completely understood and accepted.



### Discussion

- The media has not done enough to question the lack of investigation on the killing of the 37 Sikhs in Chhattisghpura despite the demand by the Sikh community for CBI investigation into the matter.
- The media has exaggerated fake encounter killings. It should paint a balanced picture of the security situation instead of instigating the people against the security forces with biased reporting.
- Media reports may not always be correct as they may be responding out of compulsion and creating disproportionate perceptions. The media does not appear to be accountable to anyone.
- *The media does not question the role of the Army. However, when there are established cases of fake encounters and investigations have proved the same, then the credibility of the institutions have to be restored. It is incorrect to generalize that the media exaggerates the wrongdoings of state institutions. The armed*





*forces feel that the police should not become the Army and vice versa. Whenever an ugly truth is revealed, the media is blamed. Law enforcement should be effective and work towards regaining the trust of the people.*



- *The Army does not put cases under the carpet. If the case is pending in the court, the Army cannot punish its men. Legal processes take long and the Army is not party to cover up an individual's action. There are conscious efforts to sensitize Army men to act in uncertain situations. Army men are trained but their action depends on basic instincts. On the ground, his instant action may be against his role but that does not represent the Army's action in general.*

- The media has a job to do, and has no protection. The media has evolved over the last 18 years and while it did start with showcasing militants, it does not do so anymore. In the end, the media reflects the local mind. Though the change has not been as much as one would have liked, the media cannot be blamed, because that level of expected change has not happened in the local mind

- Three years earlier, there was mistrust between the media and the police. And today, the police are holding this conference and debating with the media on these issues. The point is that there is a sea change in the attitude and in the situation. We must make use of this change for the better. We must start building and must learn to forget.



- Many institutions have failed. Law enforcement agencies, the politicians, the media have all failed. However, we have not focused on institutions that have not failed. We have not focused on how to make these institutions work and on how to strengthen them to consolidate peace.



### SESSION III: SOCIO-CULTURAL LINKAGES

#### Inter Community Dialogue Post-1990

**AK Deewani, *Activist and Educationist***

The present security scenario is really heartening but it is important to consolidate the peace process. For this, it is important to bring different communities together and engage them in a purposeful dialogue in order to return to the brotherhood of yesteryears and it is possible to do so because of the distinct Kashmiri identity.

The Kashmiri identity has been fragmented due to new developmental concerns, the rise of fundamentalism, and many other local and international forces. However, passage of time has proven that these divisions are caused by vested interests. It is important to note that despite the upheaval of Hindu Pandits, dialogue between the two communities never broke down. Moreover, the two communities continued to attend each other's social functions and protect each other's places of worship such as the mosques and temples. Their separate institutions such as universities continued to run in times of turmoil.

This does not indicate however that total normalcy has returned to the region. Much more needs to be done to assimilate the edges of the Kashmiri identity. A dialogue process needs to be facilitated between the various communities within the state, much on the lines of the dialogue process between India, Pakistan and the separatists. The Kashmiri Pandits, whose sufferings were compounded because they were hounded away from home, have to be given a sense of confidence. A housing society can be set up to meet their requirements. A minority university of world standards can be set up. The state should initiate confidence building measures directed at them too instead of only at the separatists. In short, it is important to reduce the dependence on leaders to bring about unity. People should take the lead.



**AK Deewani,**  
*Activist and Educationist*



### Kashmir's Emotional Integration

**Salem Beig**, *State Convener, Indian National Trust for Art and Cultural Heritage (INTACH)*



**Salem Beig**  
*State Convener, INTACH*

In the past, it has been possible to have a symbiotic and harmonious relationship between Kashmir and Delhi. In 1947, Pakistan could not convince the Kashmiris to integrate with them. In the 1940s, Kashmir developed a bond with the Indian mainstream through ideological integration. However, integration came to be looked upon as cultural hegemony for it took place through symbols rather than substance. The starting point of the legal relationship between Delhi and Kashmir is the Delhi agreement of 1952 whereby Nehru argued for the recognition and acceptance of Kashmir as a

separate historical, cultural and geographical entity. Through this agreement, it is not Kashmir which acceded to India but India that acceded to

Kashmir.

The process of the forming of the Kashmiri personality and mind was not a smooth process but a tedious struggle among proponents of different views. It is the history of these views, ideas and institutions that help us to form a perspective on the Kashmiri personality. Kashmiri author and historian, Kalhana, says Kashmiri identity during the 11<sup>th</sup> century was reflected in the script developed by the Kashmiri writers known as Sharda script. The fact that these authors preferred to use their own script instead of Sanskrit, over which their command was praiseworthy, reflects their desire to maintain exclusivity. However, the idiom of studying history has also given rise to communal tensions. The



rule of those who came from outside such as Sultan Sikander (1389-1413) created a wedge between Hindus and Muslims because of his known policy of executing Hindus. However, what is less known is that he also persecuted Muslims who opposed his rule. Similarly little known is that a wedge existed between outside preachers and Kashmiri Muslims. For instance, Mirza Duglat who ruled Kashmir in 1531 AD spoke of the un-Islamic ways of the Kashmiri Muslim, who, while calling themselves Muslims, followed Hindu *rishis*. This

further reflects the distinct Kashmiri ethos.

## J&K State: Cultural Political and Social Linkages with South Asia

*Sidiq Wahid, Vice Chancellor, Islamic University, Kashmir*

Since the mid 20<sup>th</sup> century, Jammu and Kashmir has shared a fractured and alienated relation with the rest of South Asia. However, Kashmir needs to be seen in the light of world history. The 16<sup>th</sup> century witnessed the substantial rise in maritime trade. The Europeans acquired power as a result and this led to the beginning of colonization. However, land trade did not decline and trade with Central Asia increased significantly. This period introduced the idea of convergence. The world started to converge with different kinds of flourishing trades. Therefore, globalization can be traced to the 16<sup>th</sup> century. Convergence had two important effects. One, it led to homogeneity in terms of political, cultural and social developments that brought the world closer. Two, it marked the beginning of a hegemonic world. The concept of a nation state emerged with the Treaty of Westphalia. The nation state with a civil society gave legitimacy to homogeneity. The history of J&K should be seen in this context. It was linked with South Asia through trade with Kashmir, Ladakh and old Punjab, and borders were made porous. Borders were hardened only after the mid-19<sup>th</sup> century.



*Sidiq Wahid, Vice Chancellor,  
Islamic University, Kashmir*

Presently, a series of zero-sum games are being played in the state. Accommodation of other systems and communities is the only way to consolidate peace. There is a need to maximize the linkage vis-à-vis South Asia with the ideas of democracy and globalization. India and Pakistan should be asked to explain these ideas. India has not been a shining democracy and it has not allowed democracy to function in a state with a Muslim majority. Therefore, there is a need to take a relook at democracy and globalization.



*Ahmad Ali Fayaz,  
Srinagar Bureau Chief, Daily Excelsior*

## **Sheikh-ul Alam, Lal Ded and Kashmir's Secular Ethos**

*Ahmad Ali Fayaz, Srinagar Bureau Chief, Daily Excelsior*

Lalla Ded, Lal Ishwari or Lalla Arifa and Sheikh Noor-ud-din Noorani or Sheikh Alam have been the greatest founders of Kashmir's composite culture, plural society, communal

harmony and secular ethos. Most historians describe Lalla (1335 AD) as a Kashmiri Hindu. Both Hindus and Muslims have had immense reverence for the lady saint. Even today, a tombstone in Lalla's name exists at Bijbehara, the mausoleum of Baba Naseeb-ud-din Gazi. Lalla and Sheikh firmly believed in monotheistic *Shaivism* and *Wahdaniyat* respectively. They stressed that blind dogmatic worship without application and involvement of the mind was a crude joke with the creator. However, leaders like Syed Geelani have despite Sheikh's religious tolerance termed him as a fundamentalist Muslim.



Sultan Qutub-ud-din and Sultan Shahab-ud-din's armies were dominated by Hindus during Lalla's lifetime. When they extended their domain to Kashgar, Kashmir's Hindus were fully secure unlike the security complexes experienced during the rule of Sultan Sikander who was the Sheikh's contemporary ruler. This explains why Lalla was not as conscious as the Sheikh in spreading communal harmony. Still, Lalla encompassed the Quranic commandment of unity of all human

beings of all religions and faiths in most of her *Vakhs*. Communal harmony, which was a result of the efforts of these saints, was completely destroyed in the 1990s.

### Discussion

- Sikhs, Hindus, Muslims and Christians have all suffered at the hands of militants. They have all migrated to different regions because of the state of affairs in J&K. Why should the Sikhs not be party to the round table conferences? Emphasis should be laid on dialogue within the various communities for the elimination of fear.



- *People of all religions have suffered. Religious sensitivity has been targeted in the state. Culture in Kashmir is more vivid than religion in Kashmir and inter-community dialogue will be beneficial. Once Kashmiri Pandits are given liberty they can set up institutions that would give them a sense of involvement. Relations with the local people have to be strengthened in order to upgrade these institutions.*



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- When the state has a civil society why does it have to depend on the government to provide assistance to minorities? Minority groups should start their own institutions. Is it the government or the local people that are preventing this development?
- Kashmiri Muslims have also suffered the consequences of displacement of the Pandits. Little is known about the great works produced by Muslim historians. Moreover, the state does not even own its heritage and art. Democracy is defective but it remains the basis of everything. No attempt has been made to pass on Kashmiri culture to the younger generations.



*Salman Haidar,  
Former Indian Foreign Secretary*

### SESSION IV: SECURITY

#### Dynamics of Security Situation and Way Ahead

**Lt Gen AS Sekhon, General Officer Commanding (GOC), 15 Corps, Kashmir**

The violence that has dominated Kashmir since the past 17 years has been caused by a range of factors such as the perceived overbearing attitude of Delhi, varying interpretations of the provisions of Article 370, economic neglect, closure of outlet for political dissent, erosion of *sufi* culture, lack of emotional integration, demographic change due to ethnic cleansing, and most important among all, the proxy war being carried out by Pakistan since 1989. While the war claimed many innocent lives, it also led to certain discernable positive fallout such as shattering of Pakistan's design and capability of forcing a solution, people's conviction of Pakistan's intent, and forced focus on development by the authorities in the region.

2001 was the most violent year in the proxy war, after which violence steadily declined. Reasons for this include the increasing pressure on Pakistan by the US to disband its activities following September 11 terrorist attacks in the US, internal compulsions of Pakistan caused by



*Lt Gen AS Sekhon  
GOC, 15 Corps, Kashmir*



the simmering insurgency in Balochistan, factional violence in Waziristan, and rise of hardliners such as Lal Masjid, exigencies achieved by the Indian security forces in the fight against insurgency, low morale among terrorist groups following September 11, and greater support and confidence of the local people within J&K in the fight against terrorism. Sustenance of this improved security situation is contingent upon continuing pressure by the US on Pakistan, the US presence in Afghanistan, further consolidation of democracy in the state and percolation of socio-economic factors to the grass root level.

Political developments such as the elections of 2002 in J&K and the rise of political dissent on socio economic lines are positive developments that exude hope and optimism. It is important at this stage to strengthen the exigencies achieved by the security forces, keep a check on infiltration, encourage the youth to join national forces, consolidate the process of economic integration of J&K with other states and optimize the natural beauty of the state.

### Move from Insurgency to Terrorism

**Gopal Sharma, Director General of Police (DGP), J&K**

Though the problem of militancy started in 1990, acts of militancy came after 1997. In 1998 (the first year of an elected government), militant acts numbered 2940. In 2002, (year of the second election) the number increased to 4536. However, the number came down to 1990 in 2005 and 300 in 2007. The number of civilians killed in militancy has also come down from 1424 in 1996 to 48 in 2007. The total number of militants killed is 20,131 and the total number of civilians killed by militants' in the state is 12,925. A total of 28,986 AK rifles have been recovered by security forces.



**Gopal Sharma,**  
*DGP, Jammu & Kashmir*

The year 1989-1990 witnessed greater reliance on explosives, selective brutal killings of police and government officials, and ethnic killings in the state. External developments such as the breakup of the Soviet Union influenced the imagination of the youth. They began to organize protests on streets as means to coerce the government to satisfy their demands. The outcome was an increased acquisition of arms.

Militants were the new freedom fighters in the state. Their ranks swelled and locals provided support and aid to them.

The years 1991-1993 witnessed an enhanced presence of local militants. There was an increase in the number of militant acts per day

in Srinagar. However, 1994-1996 marked the phase of disenchantment. Militants lost their image and militancy was seen as a revolt of the haves in society. Emergence of the concept of surrendered militants coincided with the militants losing face as freedom fighters. This period marked the beginning of the political process. Post-1997, there was renewed reliance on explosives. The number of foreign militants became more than local militants and many cases of political killing and several sensational incidents have taken place.

The cycle of violence in Kashmir started with terror and moved to subversion and then graduated to insurgency which then resulted in disenchantment and is now back again to terror. What next? Will the violence now move from terror to subversion? This is unlikely since the cycle has been broken.

### External Dimensions of Militancy

**Praveen Swami, Delhi Bureau Chief, Frontline**

In dealing with terrorism, greater effort has been placed on addressing the intention of militants to carry out terrorist attacks while little has been done to diminish their capabilities. Militancy in the state of J&K has been going on since 1950s in the form of covert operations by Pakistan. As early as 1949, investigations revealed that Pakistan was planning to carry out large scale operations in Kashmir. The first charge sheet suggesting Pakistan's involvement in covert operations dates back to 1951. While this war was waged right through the 1950s, the next two decades were dominated by open wars between the two countries. The Afghan jihad resulted in enormous flow of arms and ammunition during the 1980s. By the early 1990s, a number of smaller groups with significant military capability had started operating in the state, and following the Hazratbal mosque crisis in 1993, they posed a threat to India. After 1999, a growing tendency of the rise of new Islamist groups driven by a larger goal of establishing Islamic rule has been noted. In the rise of militant groups in Kashmir, many blunders committed by the Indian state are of equal import, such as the 1993 communal riots in Mumbai, the Gujarat pogrom and the failure to observe rule of law in Kashmir in the late 1980s.



**Praveen Swami,**  
*Delhi Bureau Chief, Frontline*

At present, militancy has gone down in the state due to the multiple crises engulfing Pakistan such as the Balochistan insurgency, Waziristan violence and disturbances elsewhere including spontaneous protests over continuation of military rule. As a result the Pakistani Army is under great pressure. It therefore cannot afford to engage with India militarily. The 'bleed India' doctrine of Pakistan is under debate amidst realization that the sub-conventional warfare has inflicted enormous economic disparity between India and Pakistan. In the end, any dialogue aimed at consolidation of the peace process must also include a debate on the different mechanisms available for maintenance of peace.



### Security Scenario: "Worm's Eye View"

**Shujaat Bukhari**, *Special Correspondent, The Hindu*

The security situation in J&K has undergone a drastic change in the last 15 years. The number of civilians killed in cross-border firing has fallen to six in 2007. The major factors for this change include action by the security forces, decline in local support for militancy, and change in local mindset, which is fed up with violence and civilian killings. However, when a militant dies, there still is a *Namaz-i-Janaza* of over 5000 locals.

The dynamics of militancy has changed. In 1994, the concept of *lkhwans* broke the back of the Pakistan-sponsored insurgency. This was followed by the cult of suicide bombers and *fidayees*. However, the situation is different in Srinagar, Budgam, Kupwara, Baramulla and in rural Kashmir.



**Shujaat Bukhari**,  
*Special Correspondent, The Hindu*

In the last three years the peace process has also played a key role in improving the situation and allowed free dialogue. The J&K police have enabled the government to contain militancy by establishing a local ground network. In 2001, there was major military buildup between India and Pakistan and it was unimaginable that a peace process would begin soon thereafter. However, peace in J&K cannot be consolidated only by the Army and police. Political means are necessary. The Indian government initiated a political process with those against it. Thereafter, came the Hurriyat split between Mirwaiz Farooq and Syed Geelani. New Delhi opened

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dialogue with the Mirwaiz Hurriyat after its refusal to attend the round table conference (RTC), but it was not sustained. With this failure, the hardliners may have been strengthened.

There is a need to deal with the 'confidence deficit,' that dates back to 1947. New Delhi's decision makers lack the political will and inputs to resolve the issue. Trust has to be regained in J&K. The locals are uncertain if the recommendations made by the Working Groups at the third RTC will be implemented. The Army has its limits and civic action programmes and operation *Sadbhavana* should be shifted to the civil administration. Vested interests of media, bureaucracy and security forces have to be tackled. Gains of the past few years should be taken forward to lead to a permanent state of normalcy and tranquility.



### Discussion

- If people are fundamental to the security of the state, then we need to look at the developments in the earlier period (1940s and 1950s) when the democratic and fundamental rights of people were trampled upon.
- *The trampling of the rights of the Kashmiri people, particularly in Indira Gandhi's period, was appalling. However, it must be remembered that Kashmir was not the only state to suffer from this. This was an issue in a large number of states.*
- Aberrations exist in democracy, and most J&K leaders have been arrested and put behind bars many times. However, a comparison with other states is inapplicable. How many civilians have been killed by security forces during protests?
- While talking about Pakistan and its talibanization, the military here needs to review its definition of the enemy and to consider the moderate opinion within Pakistan as well. Instead of pointing at Pakistan, India needs to introspect first and work towards improving things within.
- *It is uncertain as to what empirical data indicates that Pakistan's liberal middle class has reached a point of influence within Pakistan. It is important for India to understand why resistance*



*against the state takes one shape as opposed to another. It is further important to make a distinction between pro-independence groups and pro-Pakistan groups. However, it must be mentioned that on the issue of human rights issue, the violations in the state of J&K are minimal when compared to other areas of conflict.*



- What is the status of infiltration today?
- *Over the last 2-3 years, infiltration has been over 300 in a year. Since 2004, it has fallen considerably owing to better surveillance equipment on the border and the construction of LOC fence among other factors. There continues to be a large number of foreign terrorists in the launch pad across the LOC. It is very difficult to believe that the Army on the other side has no control or knowledge*

*of the numbers that emanate from there.*

- What is the current assessment on the groups that are operating on the ground – how autonomous are they? The groups operating from Pakistan are not amenable to negotiations. In this case, what should be the approach followed to deal with them?
- *The groups on the ground are not autonomous, be it the local militants or foreign militants. Their leadership lies across the border. So it is not a question of pointing fingers at Pakistan but the fact of the matter is that most trouble in the region emanates from it. To this extent, it is important to address how Pakistan is going to deal with India. What leeway will it have to operate in Kashmir? While it is true that the Pakistani middle class is largely moderate, the fact that at least two of its provinces are being ruled by hardliners is a matter of concern. One can only hope that the moderates take charge in the near future.*



- On the question of demilitarization, is it viable in the near future?

- *In 2001, the Indian forces had decided to stop offensive counter terrorism operations. However, by May, this decision had to be reversed. This was because the period of cessation of operations witnessed the highest levels of violence. It would be premature to release the pressure put by the security forces. The militant forces*



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*are in disarray right now. The kind of covert support has also changed. We need to capitalize on this moment and cannot allow the situation to deteriorate again.*

### VALEDICTORY SESSION

The valedictory address was delivered by ESL Narsimhan, Governor of Chhattisgarh. Key dignitaries at the valedictory session included Amb Salman Haidar, Amb Lalit Mansingh, Gopal Sharma (DGP), Shiv Sahai (IGP), and Maj. Gen. Dipankar Banerjee.



### Keynote Address

#### ESL Narsimhan, Governor, Chhattisgarh

Signs of peace and normalcy are clearly evident in the state of Jammu and Kashmir, and for this, the role of security forces, and particularly of J&K Police, must be applauded. It is important to recognize the stressful conditions under which they work. Effort must be made to avoid demoralization of the security forces, for peace cannot be sustained with a demoralized force. When security forces die in a militant attack, the incident is always portrayed as a security lapse. No human right group takes up the loss of innocent police officers and their sacrifice in defending the state, as was the case in the attack on police in Chhattisgarh that killed over 55 police officers. While legitimate criticism against unlawful activities is most welcome, it is important to treat the security forces in a humane manner.

A recurrent theme of the conference was the need for greater civil society participation, inter-community dialogue and an impartial media. While civil society and media must undoubtedly play an important role as facilitators, dialogue must in the end be with the people who matter in the conflict, that is, the militants. Further, in seeking to consolidate the improved security scenario, it is important for each wing of the public service to deliver, be it the judiciary, the security forces, or the politicians. It must be ensured that development schemes reach the common man. The spread of terrorist activities to other cities must be stopped and emphasis needs to be laid on deterrent punishment.



*ESL Narsimhan,  
Governor, Chhattisgarh*



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