

LR DIPLOMATIC SUMMIT

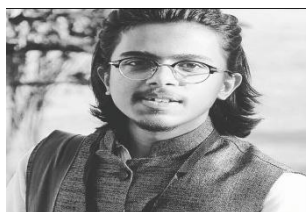
BACKGROUND GUIDE ALL INDIA POLITICAL PARTY MEET

AGENDA: ARTICLE 370(SPECIAL STATUS TO J&K)

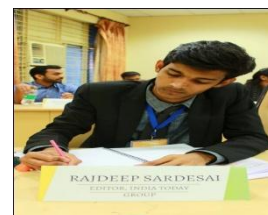
PREPARED BY:



Abhimanyu Singh
Moderator



Toshit Chauhan
Deputy Moderator



Shubham Jha
Advisor

Letter from the Moderator

Respected Representatives,

It is our utmost pleasure to welcome you to All India Political Party Meet at LR Diplomatic Summit, 2017. The simulation of AIPPM offers an opportunity to debate and deliberate upon the most crucial issue Indian polity of the present is faced with, requiring a polar choice to be made.

A major issue confronting the country today is the controversy over Article 370. The Article 370 has been a issue of debate after the formation of constitution. The J&K is integral part of India, during the year of independence the J&K was under the rule of Hindu King. From that time till now we have the same concept for J&K, that we the people of India treat Kashmir as our part. For Indian's Kashmir is not a part of Country, it is feeling of heavenliness, it is a place if something happens there, the whole of India shakes. Under Article 370 the provisions tell about the special power that J&K government poses over the rules regulation that the Indian government passes. There are various areas where the Article 370 has been used, among them is for Political Benefit.

This committee has taken up for discussion the agenda of Article 370(Special Status to J&K) aspects of the agenda to engage yourself in an healthy and substantive discussion.

Despite the interesting agenda before us, any parliamentary simulation is surely empty without active participation of the Representatives. We wish you all the very best for a hyperactive social sporting event.

Regards,

Abhimanyu Singh
Moderator

The background guide gives a brief outlook of different areas relating to Article 370.

History

It is hard to imagine that Kashmir, one of the most beautiful places on earth, inhabited by a peaceful populace, can become the bone of contention between two countries. There is no doubt that Kashmir became a "disputed territory" with time.

The early residents and the later story

The splendor and salubriousness of the Kashmir valley is legendary! In the words of the greatest of the Sanskrit poets Kalidas, Kashmir is "more beautiful than the heaven and is the benefactor of supreme bliss and happiness." Kashmir's greatest historian Kalhan called it the "best place in the Himalayas" - "a country where the sun shines mildly." The 19th century British historian Sir Walter Lawrence wrote about it: "The valley is an emerald set in pearls; a land of lakes, clear streams, green turf, magnificent trees and mighty mountains where the air is cool, and the water sweet, where men are strong, and women vie with the soil in fruitfulness."

Legends have it that Rishi Kashyapa, the saint of antiquity, reclaimed the land of the Kashmir valley from a vast lake, known as "Satisar", after goddess Sati, the consort of Lord Shiva. In ancient times, this land was called "Kashyapamar" (after Kashyapa) that later became Kashmir. The ancient Greeks called it "Kasperia," and the Chinese pilgrim Hiun-Tsang who visited the valley in the 7th century AD, called it "Kashimilo."

The earliest recorded history of Kashmir by Kalhan begins at the time of the Mahabharata war. In the 3rd century BC, Emperor Ashoka introduced Buddhism in the valley. Kashmir became a major hub of Hindu culture by the 9th century AD. It was the birthplace of the Hindu sect called Kashmiri 'Shaivism', and a haven for the greatest Sanskrit scholars. Shows how Kashmir was ruled by different rulers and kings whether it was Vedic period or later Vedic period, followed by medieval period later it was invaded by foreign rulers this was followed by Kashmir sultanate rulers 1346-1580 , the Mughals 1580-1750, Afghan 1780-1819 . Their rule marks several socio cultural changes and declination of Kashmir's ancient culture beliefs and Practices.

In 1890 the Kashmir valley passed from control of Durrani Empire of Afghanistan and 4 centuries of Muslim rule under the Mughals and the Afghans to the conquering armies of Sikhs under Ranjit Singh Punjab. In 1845 the 1st Anglo Sikh war broke out and Gulab Singh (son of Ranjitdevand governor of Ranjit Singh) appeared as a useful mediator and trusted advisor of Sir Henry Laurence he handed the state of Lahore to British and many other parts situated in east of Indus and west of Ravi (that is the valley of Kashmir to the British) the Treaty of Amritsar freed Gulab sing from responsibilities of Amritsar and made him the ruler of Jammu and Kashmir.

During the British Raj

The Dogra's loyalty came handy to British during their Revolt of 1857 as Dogra's refused to provide sanctuary to mutineers, allowed English women and children to seek asylum in Kashmir and sent Kashmiri troops to fight on behalf of the British. British in return rewarded them by securing the succession of Dogra rule in Kashmir. Soon after Gulab Singh's death in 1857, his son, Ranbir Singh, added the emirates of Hunza, Gilgit and Nagar to the kingdom.

The Princely State of Kashmir and Jammu (as it was then called) was constituted between 1820 and 1858 and was "somewhat artificial in composition and it did not develop a fully coherent identity, partly as a result of its disparate origins and partly as a result of the autocratic rule which it experienced on the fringes of Empire." It combined disparate regions, religions, and ethnicities: to the east, Ladakh was ethnically and culturally Tibetan and its inhabitants practised Buddhism; to the south, Jammu had a mixed population of Hindus, Muslims and Sikhs; in the heavily populated central Kashmir valley, the population was overwhelmingly Sunni Muslim, however, there was also a small but influential Hindu minority, the Kashmiri Brahmins or pandits; to the northeast, sparsely populated Baltistan had a population ethnically related to Ladakh, but which practised Shi'a Islam; to the north, also sparsely populated, Gilgit Agency, was an area of diverse, mostly Shi'a groups; and, to the west, Punch was Muslim, but of different ethnicity than the Kashmir valley.

The 1947 and the freedom of 365 princely states

British left India with 355 princely states it was not a freedom of the country but a freedom of 355 princely states and unifying post partition India and princely states was one of the most tedious task faced by the political leadership in colonial India nearly 40% of territory was occupied by 56 small and large states who enjoyed wearing degrees under the autonomy of the British paramountcy .British power protected them from their own people and external pressure so long as they did British bidding .

In 1947 the future of princely states became a matter of concern many of larger princely states began to dream of independence and to scheme for it they claimed that paramountcy could not be transferred to new states of India.

Their ambitions were full filled by British prime minister Clement Attlee announcement on 20 February 1947 that his majesty's government do not intend to hand over their power and obligations of paramountcy to the government of India consequently the rulers of princely states claimed that they would become independent from 15 August 1947 when British rule ended.

In this they got encouragement from Ma. Jinnah who publicly declared on 18 June 1947 that the sovereign states would be independent on termination of paramountcy and were free to

remain independent if they so desired. The British stand was however altered to some extent when in his speech on the independence of India bill Attlee said *“it is the hope of his majesty’s government that all the states will in due course find their appropriate place with one or the other dominion with in the British Commonwealth”*.

Ranbir Singh grandson Hari Singh who acceded the throne of Kashmir in 1925 was the reigning monarch in 1945 at the conclusion of British rule of the subcontinent and subsequent partition of India into newly independent domains of India and Pakistan. The state of Kashmir bordered on both India and Pakistan its ruler Hari Singh was Hindu while nearly 75% of population was Muslim Hari Singh too did not accede either to India or Pakistan . Fearing democracy in India and communalism in Pakistan, he hoped to stay out of both and to continue as an independent ruler the popular political forces led by the national conference and its leader sheikh Abdullah however wanted to join India. The Indian political leaders took no step to obtain Kashmir’s accession and. In line with their general approach, wanted the people of Kashmir to decide whether to link their faith with India or Pakistan in this they were supported by Gandhi declared in August 1947 that Kashmir was free to join India or Pakistan.

Pakistan not only refused to accept the principle of plebiscite for deciding an issue of accession in the case of Junagadh and Hyderabad, in case of Kashmir it tried to short circuit the popular decision through a short sited action forcing India to partially change its attitude in regard to Kashmir on 22 October with the onset of winter several pathan tribes men, led unofficially by Pakistan army officers, invaded Kashmir and rapidly pushed toward Srinagar the capitol of Kashmir. The ill trained army of the maharaja proved no match for the invading forces. In panic on 24 October the maharaja appealed to India for military assistance.

Nehru at this stage did not favor accession without ascertaining the will of the people but Mountbatten the Governor General, pointed out that under International law India could send its troops to Kashmir only after states formal accession to India. Sheikh Abdullah and Sardar Patel insisted on accession and so on 26 October, the maharaja acceded to India and also agreed to install Abdullah as head of the state’s administration, Even though both the National conference

and the maharaja wanted firm and permanent accession India in conformity with its democratic commitment and Mountbatten’s advice, announced that it would hold a referendum on the accession decision once peace, law and order had been restored in the valley.

After accession the cabinet took the decision to immediately fly troops to Srinagar .this decision was bolstered by its approval by Gandhiji who told Nehru that there should be no submission to evil in Kashmir and that the raiders had to be driven out .on 27th October nearly 100 planes airlifted men and weapons to Srinagar to join battle against raiders Srinagar was first held and then the raiders were gradually driven out of the valley, though they retained control over parts of the state and the armed conflict continued for months.

Fearful of the dangers of a full scale war between India and Pakistan the Government of India agreed on 30 December 1947 on Mountbatten's suggestion ,to refer the Kashmir problem to the

United Nations Security Council, asking for vacation of aggression by Pakistan .

Nehru was to regret this decision later as, instead of taking note of the aggression by Pakistan ,the security council guided by Britain and the United States ,tended to side with Pakistan ignoring India's complaint , it replaced Kashmir question before it by the India-Pakistan Dispute it passed many resolutions but the upshot was that in accordance with one of the resolutions ,both the upshot India and Pakistan accepted a cease fire on 31 December 1948 which still prevails and the state was divided along the cease fire line .Nehru who had expected to get justice from the United Nations ,was to express his disillusionment in a letter to Vijaylakshmi Pandit in February 1948:'I could not imagine that the security council could possibly behave in the trivial and partisan manner in which it functioned .these people are supposed to keep the world in order . It is not surprising that the world is going to pieces .the united states and Britain have played a dirty role ,Britain being the chief actor behind the scenes.

In 1951 the UN passed a resolution providing for a referendum under UN supervision after Pakistan had withdrawn its troops from the part of Kashmir under its control. The resolution has remained infructuous since Pakistan has refused to withdraw its forces from what is known as Azad Kashmir. Since then Kashmir has been the main obstacle in the path of friendly relations between India and Pakistan .India has regarded Kashmir's accession as final and irrevocable and

Kashmir as its integral part. Pakistan continues to deny this claim .Kashmir has also over time become a symbol as well as attest of India's secularism; it was ,as Nehru put it , basic to the triumph of secularism over communalism in India.

Cease-fire line between India and Pakistan after the 1947 conflict

The UN Security Council on 20 January 1948 passed Resolution 39 establishing a special commission to investigate the conflict. Subsequent to the commission's recommendation the Security Council, ordered in its Resolution 47, passed on 21 April 1948 that the invading Pakistani army retreat from Jammu and Kashmir and that the accession of Kashmir to either India or Pakistan be determined in accordance with a plebiscite to be supervised by the UN. In a string of subsequent resolutions the Security Council took notice of the continuing failure by India to hold the plebiscite. However, no punitive action against India could be taken by the Security Council because its resolution, requiring India to hold a Plebiscite, was non-binding and the Pakistani army never left the part of the Kashmir, they managed to keep occupied at the end of the 1947 war, required by the Security Council resolution. The eastern region of the erstwhile princely state of Kashmir has also been beset with a boundary dispute.

In the late 19th- and early 20th centuries, although some boundary agreements were signed between Great Britain, Afghanistan and Russia over the northern borders of Kashmir, China never accepted these agreements, and the official Chinese position did not change with the communist revolution in 1949. By the mid-1950s the Chinese army had entered the north-east portion of Ladakh."By 1956–57 they had completed a military road through the Aksai Chin area to provide better communication between Xinjiang and western Tibet. India's belated discovery of this road led to border clashes between the two countries that culminated in the Sino-Indian war of October 1962."China has occupied Aksai Chin since 1962 and, in addition, an adjoining region, the Trans-Karakoram Tract was ceded by Pakistan to China in 1965.

Acknowledgement of instrument of accession under Indian Constitution

The two new Dominions India and Pakistan, after the India Independence Act 1947 was passed, in the absence of any new Constitution, were to be governed by the provisions of the Government of India Act, 1935 under section 8(2), except in so far as the provisions made by the Constituent Assembly under section 8(1) of the Act of 1947. And any such provision made by the Constituent Assembly by Order of the Governor-General was to be made applicable to that new dominion. Accordingly, by virtue of powers conferred by section 8 and section 9 (1) (c) of the Act of 1947, the Governor-General made India (Provisional Constitutional) Order of 1947. Under this Constitutional Order of 1947 issued on the fifteenth day of August, 1947 section 6 of the Government of India Act, 1935 was substituted by section 6 of the Indian (Provisional Constitutional) Order 1947 which provided for accession of Princely States. The Maharaja of Jammu and Kashmir executed the Instrument of Accession on 26 October 1947. It does not however appear to have been noticed by the Governor-General of India, Lord Mountbatten, who accepted the Instrument of Accession on the behalf of the Dominion of India on 26 October, 1947, that the provisions of the Government of India Act, 1935 and Indian Independence Act 1947 and consequently any law passed there under ceased to have any applicability to Jammu and Kashmir from 15 August 1947. Therefore, it was not legally possible for Maharaja of Jammu and Kashmir to execute an Instrument of Accession in terms of section 8 of the Government of India Act, 1935 which was a dead law so far as Jammu and Kashmir was concerned, although it continued to be in force until repealed on 26 January 1950, for the Dominion of India. Considering that international relations are largely driven by political considerations, it gives a peep into some of the political developments which can be said to have some significance on the relationship between Union of India and State of Jammu and Kashmir.

The salient provisions of the Instrument of Accession executed by Maharaja on 26 October 1947 were mainly four.

1. The Instrument of Accession will govern the relationship with the Dominion of India (Article

- 1 of the Instrument of Accession (IOA))

2. No future Constitution of the Dominion of India was to be automatically binding (Article 7, IOA)

3. A separate acceptance through a separate supplementary Instrument was required (Article 5, IOA) and

4. The internal administration of the State was governed by the Jammu and Kashmir Constitution Act, 1939 (Article 8, IOA)

It is to be noted that Accession of all other Princely States to the Dominion of India was through an identical document. In the case of other States this was followed up by an Instrument of Merger, concluded individually by the larger states, and collectively by smaller states brought together to form coherent units. This merger integrated their territories with the territory of the Dominion of India and allowed them to be represented in the Indian Constituent Assembly and to participate in the framing of the Constitution of India. Jammu and Kashmir did not sign the Instrument of Merger and its relationship with the Dominion of India continued to be based only on the Instrument of Accession. In June 1949, Yuraj Karan Singh, after he was proclaimed to exercise all legislative, executive and judicial powers on June 20 1949, on the advice of his Council of Ministers nominated four representatives, Sheikh Mohammad Abdullah, Mirza Mohammad Afzal Beg, Maulana Mohammad Syed Masudi and Moti Ram Baigra, to the Indian Constituent Assembly. On 27th May 1949, Shri Gopaldaswami Ayyangar in the Indian Constituent Assembly took a position that “though Kashmir acceded to the Indian Dominion so far back as the end of October 1947, this representation has not materialized...” (Constituent Assembly Debates, 357 Vol. VII). The statement is factually inexact because Jammu and Kashmir had not, unlike other States, executed the Instrument of Merger and had not become an integral part of India in 1949. The Instrument of Accession had specifically reserved by Article 7 that Kashmir will not be bound by any future Constitution of India.

Therefore the question of associating Kashmir in the framing of the Constitution of India was not on terms at par with the other States which had merged into the Dominion of India. It could have been only as ‘observers’ to have an inside view of the Constitution of India which was about to be finalized, so perhaps as to form an informed opinion on the future relationship with the Dominion of India under its new Constitution. Gopaldaswami further stated in the Constituent Assembly that “representatives would come here and take part in the further proceedings of this House...and...Kashmir should have an opportunity to participate in the discussions which will finalize those articles” (See Constituent Assembly Debates, 359, 373 Vol. VII). The most charitable legal interpretation that can be given to this opinion is that the representatives of Kashmir can be given an insider’s information about the contents of the Constitution of India so that they can have an opportunity to decide at a future point of time whether they would like to be associated with India under the terms of the new Constitution, which however required a separate international treaty in terms of Article 5 of the Instrument of Accession. The Instrument of Accession was executed in full exercise of the sovereignty of Kashmir by its Ruler. So it was no province for the representatives to say anything about

the act of accession. The representatives from Kashmir made it clear in the Constituent Assembly that Kashmir's association with India would be based "only" on the terms of 'Instrument of Accession', and that it will be for the Constituent Assembly of the State, when convened, to determine in respect of

which "other" subjects the State may accede in future. On 26th November 1949 the Constituent

Assembly of India adopted the Constitution of India and certain provisions came into force on that day. A day earlier on November 25, 1949, Yuvraj Karan Singh issued a Proclamation declaring that "with the inauguration of the new Constitution for the whole of India now being framed by the Constituent Assembly of India, the Government of India Act, 1935, which governed the constitutional relationship between this State and the dominion of India will stand repealed and the Constitution of India shall, in so far as it is applicable to the State of Jammu and Kashmir, govern the constitutional relationship between this State and the contemplated Union of India..." The word that "the Constitution of India shall in so far as it is applicable" refers back to the conditionality of the Instrument of Accession in the absence of a supplementary Instrument executed by the sovereign of Kashmir in accordance with the provisions of the Instrument of Accession. The proclamation does not add anything new to what has been allowed by the Instrument of Accession (H.O Agarwa, Kashmir Problem: Its Legal Aspect, 121,1979).

The provisions in Article 370 of the Constitution of India, which opens with the words 'notwithstanding anything in the Constitution', would go to indicate that the provisions of the Constitution do not apply and only Article 370 would govern the relationship between India and Kashmir, and strengthen the significance of the Instrument of Accession referred to in Article 370 (1) to (3). The powers of the Government of India are limited to those heads of power listed in the Schedule to the Instrument of Accession and consequently would be speaking to a confederal arrangement where the central authority has only conferred powers. It would therefore be difficult to resist an interference that it was beyond the powers of the Constituent Assembly to frame a provision for the State which was only in a confederal connection. It is interesting to note the concluding part of Article 370 which empowers the President of India to make an Order abrogating or amending the provision laid in Article 370. A view that has been expressed by various legal and political scholars, based on the assumption of this provision, that Article 370 of the Constitution being temporary provision, if abrogated, after following a procedure under the said Article, will imply a complete integration of the State of Jammu and Kashmir to the Indian Union. The opinion has been based on other evidences also, which suggest that the Presidential Orders since 1950 have rendered towards closer integration of the State of Jammu and Kashmir. The said provision, however, has two implications. First: for any such Order to be passed by the President of India under Clause 3 of Article 370, recommendations of the Constituent Assembly of the State of Jammu and Kashmir are inevitable. This however raises a larger question that since State Constituent Assembly of Jammu and Kashmir was dispersed in 1956, who has, then, the final authority to make such recommendation. Secondly: even if Article 370 is abrogated

after following a procedure as contemplated, somehow, it shall not provide for the integration, unless otherwise agreed, of the State but will legally put an end to the “only” provision governing the constitutional relationship between the State of Jammu and Kashmir and the Indian Union. There should be no doubt as far as this legal position is concerned. On the contrary, the principles governing international relations will adequately answer the requirements.

Should, however, India and Jammu and Kashmir desire to place relationship on a legally firm foundation, the Instrument of Accession would require considerable modification if the de facto relation between India and Jammu and Kashmir are to be made de jure, the present repository of Jammu and Kashmir may have to execute Instrument of Merger into India in the manner other States have done. The consequences of such a merger would be that all the provisions of the Constitution of India would become automatically applicable in relation to Jammu and Kashmir. It would then have to be examined whether Jammu and Kashmir State can have a separate relationship with India which, with the Instrument of Accession any point of, would be confederal and not federal and would therefore not be in conformity with accepted principles for reason one, which indicates that States are equal inter se although subordinately useful to federal authority.

(Note: Parliamentarians are requested to be aware about the language of the Article 370 and Instrument of accession. They are also requested to draw a nexus between article 370 and instrument of accession)

The Delhi Agreement between Nehru and Abdullah

AFTER the Constituent Assembly of Jammu and Kashmir arrived at its main decisions, representatives of the Indian government and the State met to discuss their implications. This arrangement between Sheikh Mohammad Abdullah and Jawaharlal Nehru agreed upon in July 1952 came to be known as the Delhi Agreement. Its main contents are:

1. The Government of India agreed that while the residuary powers of legislature vested in the Centre in respect of all States other than Jammu and Kashmir, in the case of the latter they vested in the State itself.
2. It was agreed that persons domiciled in Jammu and Kashmir shall be regarded as citizens of India, but the State Legislature was empowered to make laws for conferring special rights and privileges on the State's subjects.
3. As the President of India commands the same respect in the State as he does in other units of India, Articles 52 to 62 of the Constitution relating to him should be applicable to the State.

4. The Union Government agreed that the State should have its own flag in addition to the Union flag, but it was agreed by the State Government that the State flag would not be a rival of the Union flag.

5. The Sadar-i-Riyasat, equivalent to the Governor of other States, will be elected by the State Legislature itself instead of being nominated by the Union government and the President of India.

6. In view of the peculiar position in which the State was placed, in particular Sheikh Abdullah's land reforms programme, the Fundamental Rights enshrined in the Constitution could not be made applicable to the State. The question that remained to be determined was whether Fundamental Rights should form a part of the State Constitution or the Constitution of India.

7. With regard to the jurisdiction of the Supreme Court of India, it was accepted that for the time being, owing to the existence of the Board of Judicial Advisers in the State, the Supreme Court should have only appellate jurisdiction.

8. The Government of India insisted on the application of Article 352, empowering the President to proclaim a general Emergency in the State. The State government argued that the Union, in the exercise of its powers over Defence, would anyway have full authority to take steps and proclaim Emergency. In order to meet the viewpoint of the State's delegation, the Government of India agreed to the modification of Article 352 in its application to Kashmir by the adding the words, "but in regard to internal disturbance at the request or with the concurrence of the Government of the State", at the end of clause (1).

9. Both parties agreed that the application of Article 356, dealing with suspension of the State Constitution, and Article 360, dealing with financial emergency, was not necessary.

(Note: One must have a proper research on the following subjects with regard to Jammu and Kashmir

- 1. Interpretation of power of constituent assembly**
- 2. Tashkant Declarations**
- 3. Shimla Pact**
- 4. Accord of Kashmir**
- 5. Different party stand on the agenda**
- 6. BJP's stand before and after coalition with PDP)**

AFSPA

The Armed Forces (Jammu and Kashmir) Special Powers Act, 1990. Even as the Sikh militant campaign was reaching its height in Punjab, an armed separatist movement started in Kashmir in 1989. Significantly, the Kashmiri insurgency has both domestic as well as foreign dimensions, which gives it a character of its own. Domestically, the central government's tendency to impose its will on the state without considering the political aspirations of the people had alienated them. Externally, Kashmir has been a bone of contention between India and Pakistan over which both countries have fought four wars. Initially, the insurgency was purely indigenous but soon Pakistan started abetting and supporting the insurgents. From the mid-1990s Pakistan also started channeling Afghan war veterans and its own Islamist jihadis to revive the flagging insurgency in the state. As the situation in the state began to deteriorate, the central government imposed governor's rule in January 1990. In September 1990, the governor invoked the Disturbed Areas Act and the state was declared as disturbed. The Disturbed Areas Act of 1990 was however temporary in nature and remained in force only till July 18, 1992. This was replaced by the Disturbed Areas Act of 1992 which was re-enacted as a Presidential Act.²⁶ Once the state assembly was restored after the 1996 elections; it enacted the Disturbed Areas Act of 1997 and declared the entire state a disturbed area. The Act was however allowed to lapse in 1998. On September 11, 1990, the central government enacted the Armed Forces (Jammu and Kashmir) Special Powers Act and enforced it retrospectively from July 5 1990. As per the Act stated that the armed forces would be used to aid the civil administration in the disturbed area to prevent terrorist acts directed towards striking terror in the people as well as any activity that endangered the territorial integrity of the country or sought the secession of a part of the territory of India or insulted national symbols such as the Constitution, the national anthem or flag. Initially, the Act was enforced in six districts (Anantnag, Baramulla, Badgam, Kupwara, Pulwama and Srinagar) as well as in areas within 20 kms of the line of control in Poonch and Rajouri districts. Eleven years later, in 2001, six more districts (Jammu, Kathu, Udhampur, Poonch, Rajouri and Doda) were brought under the purview of the Act. The Act continues to be in force in the state despite strong opposition from political and civil society activists.

While it is a fact that the Armed Forces Special Powers Act confers extraordinary powers which have been allegedly misused by the military, police and other paramilitary personnel to commit gross excesses without any fear of being punished, it is also a fact that despite numerous mass protests, legal challenges and review committees the Act has neither being reviewed nor repealed. However, following Supreme Court rulings, some safeguards have been introduced by the army. ³⁰ The "Dos and Don'ts" issued by the Army authorities have been suitably amended to conform to the Supreme Court guidelines, which the army personnel are required to strictly follow. For instance, minimum force is used by the armed forces under Section 4(a) against persons suspected of violating prohibitive orders. A person arrested and taken into custody under Section 4(c) is handed over to the nearest police station within 24 hours of such arrest. Any property, arms, ammunition seized by the armed forces is likewise handed over to the officer in charge of the nearest police station. Most importantly, the army has initiated a number of cases against its personnel accused of violating the basic

human rights of the people. It is hoped that these safeguards would not only restrain the forces from perpetrating excesses but would also assuage the hurt sentiments of the people in the insurgency affected areas of the country.

Earlier, the same applicant had sought information on whether any rule, regulation, instruction, guideline, circular, office memorandum, standing order, standard operating procedure, gazette notification or any other written communication was issued by MHA in relation to the implementation of the controversial law. The MHA disclosure that it has not issued any guideline seemed to run contrary to the Supreme Court directions. In 1997, the Apex Court had laid down a number of dos and don'ts for AFSPA. According to the Supreme Court guidelines, any person arrested and taken into custody in exercise of the powers under Section 4(c) of the Central Act should be handed over to the officer-in-charge of the nearest police station with the least possible delay, so that he can be produced before the nearest Magistrate within 24 hours of such arrest, excluding the time taken for journey from the place of arrest to the court of the magistrate; the property or the arms, ammunition etc., seized during the course of a search conducted under Section 4 (d) of the Central Act must also be handed over to the officer-in-charge of the nearest police station together with a report of the circumstances occasioning such search and seizure. The other major guideline says that the provisions of the CrPC governing search and seizure have to be followed during the course of search and seizure conducted in exercise of the power conferred under Section 4 (d) of the Central Act; and a complaint containing an allegation about misuse or abuse of the powers conferred under the Central Act shall be thoroughly inquired into. Pertinently, after the eruption of militancy in the state, AFSPA was imposed in the Valley followed by Jammu respectively in 1990 and 2001.

Then Additional Chief Secretary (Home) MahmoodurRehman issued a notification, whilst the State was under Governor's Rule, vide SRO-SW4 dated 6-7-1990 declaring the Kashmir valley and parts of Rajouri and Poonch district as disturbed. Another order to notify Jammu region as disturbed was issued by then Principal Secretary Home vide order number 219/97-ISA dated 10-8-2001. The notification declared districts of Jammu, Kathua, Udhampur, Poonch, Rajouri and Doda as disturbed areas to facilitate the imposition of AFSPA. The debate around the continuation of the AFSPA has centred around the following issues:

- Complete Revocation of AFSPA.
- Partial Revocation of AFSPA. (Disturbed Area status lifted from certain parts of State)
- AFSPA is amended to include specific safeguards and provisions thereby ensuring that current concerns are met.
- Status quo.
- Application of Ranbir Penal Code, the equivalent of the Indian Penal Code (With additional safeguards for security forces)
- Operate Under Unlawful Activities (Prevention Act) 2008 (With additional safeguards for security forces)

Under the present law the army can shoot to kill under Section 4 (a), for the commission or suspicion of any of the following offenses: acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons, carrying weapons or carrying anything which is capable of being used as a fire-arm or ammunition. To justify the invocation of this provision, the officer need only be “of the opinion that it is necessary to do so for the maintenance of public order” and only give “such due warning as he may consider necessary”.

Conclusion

The peace dividend has to be passed on to the people without delay to ensure that they become a part of the process, leading to prosperity and lasting peace. The people of JandK have suffered decades of sponsored violence that was alien to their cultural beliefs. The tangible benefits of peace in terms of lower visibility of troops, freedom from fear and opportunities for growth and prosperity are the immediate deliverables. The governments at the state and Centre along with responsible stakeholders should formulate a strategy to get rid of the curse of terrorism and finally end their manipulation by inimical powers. The steps will have to be taken in stages and the time is not far when security forces will not be required to provide a secure internal environment. However, knee jerk reactions may put the clock back. There is a need to exercise prudence and caution and take measured steps without playing for short-term gains.

It's now almost 70 years have passed to our independence and almost 65 years to our constitution but being one nation we are still not united on some point and areas, still we are

Timeline of Events

1846-1947: Kashmir before 1947

1846: Jammu and Kashmir (J and K) State is created for the first time with the signing on 16 March of the Second Treaty of Amritsar between the British East India company and Raja Gulab Singh of Jammu. It is an addendum to the Treaty of Lahore signed one week earlier on 9 March 1846 which gives the terms of surrender of the Sikh Durbar at Lahore to the British. The Sikhs cannot pay part of the demand made by the British; Gulab Singh steps in on their behalf to pay Rs. 7,500,000, and in return receives Kashmir Valley, part of the Sikh territories, to add to Jammu and Ladakh already under his rule. Gulab Singh accepts overall British sovereignty. Kashmir Valley is a Muslim majority region speaking the Kashmiri language and a distinct culture called Kashmiriyat.

1857: The War of independence, The Subcontinent fractured into hundreds of states.

1931: The movement against the repressive Maharaja Hari Singh begins. It is brutally suppressed by the State forces. Hari Singh is part of a Hindu Dogra dynasty, ruling over a majority Muslim State. The predominantly Muslim population was kept poor, illiterate and was not adequately represented in the State's services. The Glancy Commission appointed by the Maharaja publishes a report in April 1932, confirming the existence of the grievances of the State's subjects and suggests recommendations providing for adequate representation of Muslims in the State's services; Maharaja accepts these recommendations but delays implementation, leading to another agitation in 1934. Maharaja grants a Constitution providing a Legislative Assembly for the people, but the Assembly turns out to be powerless. The 1931 protest led to the Quit Kashmir movement against the Maharajah in 1946 by the Kashmir leader Sheikh Abdullah, and eventually to the Azad Kashmir movement which gained momentum a year later.

1932: All Jammu and Kashmir Muslim Conference founded by Sheikh Abdullah in collaboration with Chaudhary Ghulam Abbas to fight for the rights of State's Muslims.

1937: Sheikh Abdullah's first meeting with Jawaharlal Nehru in a Lahore railway station.

1938: Sheikh Abdullah renames Muslim Conference to National Conference and throws it open to people of all religions.

23 March 1940: The Lahore Resolution is proposed by Muhammad Ali Jinnah and seconded by Sikandar Hayat Khan and Fazl ul Haq. Referring to British India, it states "That geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority, as in the North-Western and Eastern zones of India should be grouped to constitute Independent States in which the constituent units shall be autonomous and sovereign". There is no mention of "Pakistan", an acronym invented by Chaudhary Rehmat Ali in England, but the Lahore Resolution later becomes known as the Pakistan Resolution.

1941: Chaudhry Ghulam Abbas breaks off from National Conference and revives the old Muslim Conference. The Muslim Conference becomes a client of the Jinnah-led Muslim League.

1941: 71,667 Kashmiris join the British Indian Army for the World War II, seven-eighths of them Muslim, mainly from the Poonch-Mirpur area.

April 1944: Sheikh Abdullah proposes a Naya Kashmir (New Kashmir) programme to the Maharaja, calling for a constitutional monarchy.

Summer 1944: Mohammad Ali Jinnah visits Kashmir, supports Muslim Conference in preference to National Conference.

May 1946: Sheikh Abdullah launches the "Quit Kashmir" movement against the Maharaja. He is arrested. Jawaharlal Nehru attempts to go to Kashmir to defend Abdullah. He is arrested and forced to leave the State.

October 1946: Muslim Conference launches a 'Campaign of Action' demanding the end of autocratic rule by the Maharaja. Chaudhary Ghulam Abbas imprisoned.

1947: Kashmir Unrest and Accession

January 1947: Elections held for the State's legislative assembly. The National Conference boycotts the elections. The Muslim Conference wins 16 seats.

April 1947

April: Hindus and Sikhs of Sialkot flee to Jammu in the face of increasing tensions. The exodus increases in June and continues till August.

21 April: Maharaja greeted by a gathering of 40,000 demobilised soldiers in Poonch. He was 'specially impressed and alarmed', according to Azad Kashmir sources.

May 1947

May: The Maharani of Jammu and Kashmir along with Yuvraj Karan Singh initiates discussions with Justice Mehr Chand Mahajan to come in as the Prime Minister of Kashmir. Mahajan shows reluctance.

June–July 1947

19 June: Lord Mountbatten visits Kashmir for 5 days to persuade the Maharaja to accede to India or Pakistan. Maharaja shows reluctance.

July: The Maharaja forces the disarming of demobilised soldiers in Poonch and Mirpur. Muslims complain that the arms they deposited with the police were distributed to Hindus and Sikhs for self-defence.

22 July: The Muslim Conference declares in favour of the State's accession to Pakistan.

23 July: State's Prime Minister Ram Chandra Kak visits Delhi for 5 days, meeting Mountbatten as well as the political leaders of Congress and Muslim League. He explains that the State has decided not to accede to either Dominion.

August 1947

1 August: Mahatma Gandhi visits the Maharaja; impresses upon him the need to be prompt in deciding on the State's accession.

11 August: Maharaja dismisses Prime Minister Ram Chandra Kak and replaces him with the retired Major Janak Singh. Concurrently a second approach is made to Justice Mahajan to come in as the Prime Minister. Due to floods and partition violence, the message reaches him only on 25 August.

11–13 August: Partition violence erupts in Sialkot, driving the surviving Hindus and Sikhs to Jammu.

14–15 August: Independence and Partition of British India into India and Pakistan. Kashmir signs Standstill Agreement with Pakistan. India requests further discussions for a Standstill agreement.

18 August: In one of the worst train massacres of Partition, Lohars and Kashmiris of Nizamabad kill all the Hindu and Sikh passengers of Wazirabad-Jammu train.

20 August: Pakistan Army formulates 'Operation Gulmarg' to organise a tribal invasion of Kashmir.

23 August: Rebels under the command of Sardar Abdul Qayyum fire on the State Forces at Bagh. According to Major General Henry Lawrence Scott, the Chief of Staff of State Forces, they were incited by 30 Muslims from West Punjab that entered the State a few days earlier.

25 August: Maharani's emissary delivers invitation to Justice Mahajan, with a repeated request on 7 September.

September 1947

Early September: Pakistan Prime Minister Liaquat Ali Khan charges Mian Iftikharuddin with organising a revolt in Kashmir. Iftikharuddin introduces the Muslim Conference leader Sardar Ibrahim to Colonel Akbar Khan. Sardar Ibrahim requests and receives arms for the rebels.

4 September: Henry Lawrence Scott informs the Maharaja that 400 armed Muslims infiltrated from Kahuta into the state to terrorize the Hindu and Sikh minorities. On the same day, Civil and Military Gazette reported that there was an 'uprising' in the Poonch area.

9 September: Pakistan cuts off supplies of petrol, sugar, salt and kerosene and stops trade in timber, fruits, fur and carpets in violation of the standstill agreement.

12 September: Liaquat Ali Khan approves the plan for "Armed Revolt inside Kashmir" prepared by Colonel Akbar Khan and another plan prepared by Sardar Shaukat Hayat Khan. Khurshid Anwar of Muslim League National Guard is dispatched to the Frontier to mobilise the tribals for an attack.

13 September: Pakistan accepts the accession of the Junagadh State.

13-18 September: Justice Mehr Chand Mahajan visits Kashmir and accepts the Maharaja's invitation to be the Prime Minister of the state.

19 September: Mahajan meets Jawaharlal Nehru and Vallabhbhai Patel in Delhi to apprise them of the situation in the state. He indicates Maharaja's willingness to accede to India but asks for political reforms to be delayed. Nehru demands the release of Sheikh Abdullah.

20 September: Muslim Conference informs Jinnah that there was "atrocious military oppression in Poonch." According to Sardar Ibrahim, a people's militia of 50,000 ex-servicemen was raised to form an 'Azad Army'.

26 September: Civil and Military Gazette reports on 'Exodus of Muslims from Jammu'. 50,000 Muslims are said to have migrated to West Punjab. The Jammu city's Muslim population is said to have been halved.

27 September: Nehru writes to Vallabhbhai Patel predicting a Pakistani incursion into Kashmir.

He recommends that the Maharaja "make friends" with the National Conference.

29 September: Sheikh Abdullah released from prison. Henry Lawrence Scott, the Chief of Staff of the State Forces leaves his position. Records that about 100,000 Muslims from East Punjab and an equal number of non-Muslims from West Punjab were safely escorted through Jammu by the State Forces.

October 1947

3 October: Khwaja Ghulam Nabi Gilkar, under the assumed name "Mr. Anwar," issues the proclamation of a provisional 'Azad Kashmir' government in Muzaffarabad. This government fails with the arrest of Anwar in Srinagar.

5 October: Nehru is informed by Dwarakanath Kachru that the Maharaja had lost control of the western districts of the state.

7 October: Maharaja imposes rigorous censorship of Press, especially of all views regarding the State's accession.

8-9 October: Owen Pattan post on Jhelum river captured by rebels. Sehnsa and Throchi abandoned by State Forces after attack.

10 October: Sardar Vallabhbhai Patel expedites Justice Mahajan's leave from Punjab High Court enabling him to accept Prime Ministership. Mahajan visits Indian leaders and Lord Mountbatten in Delhi before proceeding to Srinagar.

14 October: Bhimber falls into rebel hands after an attack of light tanks, presumably by Pakistan Army.

15 October: Mehr Chand Mahajan takes charge as Prime Minister of the state. A concentration of 6,000 tribesmen reported at Abbotabad-Mansehra.

21-22 October: Pro-Pakistan members of the Maharaja's army rebel at Domel (Muzaffarabad) and take control of the Jhelum river bridge.

22 October: Pakistan precipitates the first Indo-Pakistani War by launching tribal lashkar (militia) from Waziristan in an effort to overthrow the Maharaja's government. Thousands of Pashtuns from Pakistan's North West Frontier Province, recruited covertly by Pakistani Army, invade Kashmir, along with the Poonch rebels, allegedly incensed by the atrocities against fellow Muslims in Poonch and Jammu. The tribesmen engage in looting and killing along the way. Maharaja of Kashmir asks India for help while the tribals halt in Baramulla to loot and plunder.

24 October: A second provisional government of Azad Kashmir established at Palandri under the leadership of Sardar Ibrahim. New Delhi receives the news of tribal invasion via two channels, from General Gracey of Pakistan Army communicated to General Lockhart and from R. L. Batra, the Deputy Prime Minister of Jammu and Kashmir, to Nehru.

26 October: The Maharaja of the State of Jammu and Kashmir signs the Instrument of Accession (IOA), acceding the state to the Indian Union. India accepts the accession, regarding it provisional until such time as the will of the people can be ascertained.

27 October: The Indian army enters the state to repel the invaders. Sheikh Abdullah endorses the accession but terms it ad hoc which would be ultimately decided by the people of Jammu and Kashmir. He is appointed head of the emergency administration.

31 October: Major William Brown, the commander of the Gilgit Scouts, leads a coup against the governor of Gilgit, imprisoning him. A provisional government is declared by the local people of Gilgit.

November 1947

1 November: Lord Mountbatten and Mohammad Ali Jinnah meet in Lahore, as the Governors General of India and Pakistan respectively. Mountbatten offers India's proposal that the accession of Junagadh, Hyderabad as well as Kashmir should be decided by a reference to the will of the people. Jinnah rejects the offer.

5-6 November: Convoys of Muslim refugees going to West Punjab attacked by armed bands supported by State troops. Very few survive.

9 November: Another convoy of Muslim refugees is guarded by Indian troops, who repel the attackers killing 150 of them. No further attacks on convoys reported after this incident.

16 November: Pakistan's Political Agent Khan Mohammad Alam Khan arrives in Gilgit and takes over the administration. The provisional government is dismissed.

25 November: Massacre of 20,000 Hindus and Sikhs taking shelter at Mirpurin what is now Azad Kashmir.

26 November: Liaquat Ali Khan meets Nehru in Delhi. Nehru asks for the raiders to be withdrawn. Khan demands an 'impartial administration' in Kashmir and proposes that the UN be invited to hold a plebiscite. However, the next day India's Defence Committee was informed that Pakistan was reinforcing tribesman.

28 November: Horace Alexander estimates that 200,000 Muslims were affected by the anti-Muslim violence in Jammu. Mahatma Gandhi speaks about it in his prayer meeting. Reproaches Sheikh Abdullah for not curtailing the Maharaja's powers.

30 November: Indian forces withdraw from Kotli. Mirpur ransacked. Large concentrations of insurgents reported at Sialkot, Gujrat and Jhelum.

December 1947

8 December: Meeting between Nehru and Liaquat Ali Khan, along with ministers and Lord Mountbatten. Montbatten proposes that the UN be invited to break the deadlock.

15-20 December: Indian forces losing ground. Nehru contemplates escalating the war across the international border, but decides against it.

24 December: Indian forces evicted from Jhangar by rebels. However, they repel the attack on Naushera by 27 December. India reinforces Kashmir by an additional brigade.

28 December: Mountbatten urges Nehru "to stop the fighting and to stop it as soon as possible."

31 December: India refers the Kashmir problem to the UN Security Council. The Indo-Pakistani War of 1947 continues into 1948.

1948-1957: Plebiscite Conundrum

1948: India takes the Kashmir problem to the United Nations (UN) Security Council on 1 January.

1949: On 1 January, a ceasefire between Indian and Pakistani forces leaves India in control of most of the valley, as well as Jammu and Ladakh, while Pakistan gains control of part of

Kashmir including what is now Azad Kashmir and Gilgit–Baltistan. Pakistan claimed it is merely supporting an indigenous rebellion in Azad Kashmir and Northern Territories against repression.

1949: On 5 January 1949, UNCIP (United Nations Commission for India and Pakistan) resolution states that the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through a free and impartial plebiscite. As per the 1948 and 1949 UNCIP Resolutions, both countries accept the principle, that Pakistan secures the withdrawal of Pakistani intruders followed by withdrawal of Pakistani and Indian forces, as a basis for the formulation of a Truce agreement whose details are to be arrived in future, followed by a plebiscite; However, both countries fail to arrive at a Truce agreement due to differences in interpretation of the procedure for and extent of demilitarisation one of them being whether the Azad Kashmiri army is to be disbanded during the truce stage or the plebiscite stage.

1949: On 17 October, the Indian Constituent Assembly adopts Article 370 of the Constitution, ensuring a special status and internal autonomy for Jammu and Kashmir, with Indian jurisdiction in Kashmir limited to the three areas agreed in the IOA, namely, defence, foreign affairs and communications.

1951: First post-independence elections. The UN passes a resolution to the effect that such elections do not substitute a plebiscite, because a plebiscite offers the option of choosing between India and Pakistan. Sheikh Abdullah wins, mostly unopposed. There are widespread charges of election rigging which continue to plague most of the subsequent elections.

1947-1952: Sheikh Abdullah drifts from a position of endorsing accession to India in 1947 to insisting on the self-determination of Kashmiris in 1952. In July 1952, he signs Delhi Agreement with the Central government on Centre-State relationships, providing for autonomy of the State within India and of regions within the State;

1953-1954: In 1953, the governments of India and Pakistan agree to appoint a Plebiscite Administrator by the end of April 1954. Abdullah procrastinates in confirming the accession of Kashmir to India. In August 1953, Abdullah is dismissed and arrested. Bakshi Ghulam Mohammed is installed in power, who then gets the accession formally ratified in 1954. Pakistan and U.S. sign a Mutual Defense Assistance Agreement in May 1954. Indian Prime Minister Pandit Jawaharlal Nehru states that he is concerned about the cold-war alignments and that such an alliance affects the Kashmir issue.

1956-1957: On 30 October 1956, the state Constituent Assembly adopts a constitution for the state declaring it an integral part of the Indian Union. On 24 January 1957, UN passes another resolution stating that such actions would not constitute a final disposition of the State. India's Home Minister, Pandit Govind Ballabh Pant, during his visit to Srinagar, declares that the State of Jammu and Kashmir is an integral part of India and there can be no question of a plebiscite to determine its status afresh. India would resist plebiscite efforts from then on. Kashmiri activists continue to insist on the promised self-determination.

1963 - 1987: Rise of Kashmiri Nationalists

1963-1964: On 27 December, mass upsurge occurs in Kashmir Valley when the holy relic is found missing from the Hazratbal Shrine; the lost relic is recovered on 4 January 1964. Protest demonstrations occur in Kashmir Valley and Pakistan held parts of the State in December against Articles 356 and 357 of the Indian Constitution being extended to the state, by virtue of which the Center can assume the government of the State and exercise its legislative powers. The special status accorded to the State under Article 370, continues to get eroded over years

1965: Indo-Pakistani War of 1965: Pakistan takes advantage of the discontent in the Valley and sends in a few thousand armed Pakistani infiltrators across the cease-fire line in August in Operation Gibraltar, and incidents of violence increase in Kashmir Valley; A full Indo-Pakistani war breaks out which ends in a ceasefire on 23 September.

1966: In January, Tashkent Declaration is signed by both countries agreeing to revert to pre-1965 position, under Russian mediation. Pakistan supported guerrilla groups in Kashmir increase their activities after the ceasefire. Kashmiri nationalists Amanullah Khan and Maqbool Bhat form another Plebiscite Front with an armed wing called the Jammu and Kashmir National Liberation Front(NLF) in Azad Kashmir, with the objective of freeing Kashmir from Indian occupation.

1972: Republic of India and Pakistan agree to respect the cease-fire as Line of Control. India and Pakistan sign the Simla Agreement in July, which has a clause that the final settlement of Kashmir will be decided bilaterally in the future and that both the sides shall respect the LOC.

1976:MaqboolBhat is arrested on his return to the Valley. Amanullah Khan moves to England and NLF becomes Jammu and Kashmir Liberation Front(JKLF).

1979: The USSR invades Afghanistan. The US and Pakistan are involved in training, recruiting, arming, and unleashing the Mujahedin on Afghanistan. The mujahedin so recruited would take on their own agenda of establishing Islamic rule in Kashmir from the late 1980s.

13 April 1984: The Indian Army takes Siachen Glacier region of Kashmir. Maqbool Bhat is executed.

1987 - Now: Kashmir Insurgency

1987:Farooq Abdullah wins the elections. The Muslim United Front (MUF) accuses that the elections have been rigged. The insurgency in the valley increases in momentum from this point on, given the consistent failure of democracy and limited employment opportunities.

The MUF candidate Mohammad Yousuf Shah is not only cheated in the rigged elections, but also imprisoned and he would later become Syed Salahuddin, chief of militant outfit Hizb-ul-Mujahedin. His election aides called the HAJY group - Abdul Hamid Shaikh, Ashfaq MajidWani, Javed Ahmed Mir and Mohammed Yasin Malik - would join the JKLF. Amanullah Khan takes refuge in Pakistan, after being deported from England and begins to direct operations across the LoC. Young disaffected Kashmiris in the Valley such as the HAJY group are recruited by JKLF.

1988: Protests begin in the Valley along with anti-India demonstrations, followed by police firing and curfew.

1989: End of Soviet occupation of Afghanistan releases a great deal of militant energy and weapons to Kashmir. Pakistan provides arms and training to both indigenous and foreign militants in Kashmir, thus adding fuel to the smouldering fire of discontent in the valley.

1990: In January, Jagmohan is appointed as the Governor. Farooq Abdullah resigns. On 20 January, an estimated 100 people are killed when a large group of unarmed protesters are fired upon by the Indian troops at the Gawakadal bridge. With this incident, it becomes an insurgency of the entire population. On 1 March, an estimated one million take to the streets and more than forty people are killed in police firing. On 13 February, Lassa Kaul, director of Srinagar Doordarshan, is killed by the militants for implementing pro-Indian media policy. Though the JKLF tries to explain that the killings of Pandits were not communal, the murders cause a scare among the minority Hindu community. The rise of new militant groups, some warnings in anonymous posters and some unexplained killings of innocent members of the community contribute to an atmosphere of insecurity for the Kashmiri Pandits. Joint reconciliation efforts by members from both Muslim and Pandit communities are actively discouraged by Jagmohan. Most of the estimated 162,500 Hindus in the Valley, including the entire Kashmiri Pandit community, flee the Valley in March.

1990 and after: An officially estimated 10,000 desperate Kashmiri youth cross-over to Pakistan for training and procurement of arms. Indigenous and foreign militant groups besides pro-India renegade militants proliferate through the 1990s with an estimated half a million Indian security forces deployed in the Kashmir Valley since the 1990s with increasing violence and human right violations by all sides leading to tens of thousands of civilian casualties.

1999: Kargil War, Intruder from 5 northern north light infantry of the Pakistani Army crossed the Line of control and occupied the heights ranging from Kargil to Drass sectors of Jammu and Kashmir.

14–16 July 2001: General Pervez Musharraf and Atal Behari Vajpayee meet for peace talks.

October 2001: Kashmiri assembly in Srinagar attacked (38 people dead).

December 2001: Attack on Indian parliament in New Delhi.

2 May 2003: India and Pakistan restore diplomatic ties.

11 July 2003: Delhi-Lahore bus service resumes

24 September 2004: Prime Minister Manmohan Singh and President Musharraf meet in New York during UN General Assembly.

July 2006: Second round of Indo-Pakistani peace talks.

June 2010: Following the killing of a young Kashmiri Tufail Ahmad Mattoo, protest demonstrations continue in Kashmir for months.

June 2011: Indian forces kill three Pakistani soldiers in firing across the Line of Control. India accuses Pakistan of opening fire first.

June 2012: August - The Chief Minister of Indian-administered Jammu and Kashmir, Omar Abdullah, says that the security situation there is not yet conducive to the revoking of the Armed Forces Special Powers Act (AFSPA) in the state.

June 2012: September - Indian President Pranab Mukherjee visits Indian-administered Jammu and Kashmir within two months of taking up office. Despite the threat of protests from separatists, see [Insurgency in Jammu and Kashmir](#), the visit passes off without any security incident.

2014: Despite boycott calls by separatist Hurriyat leaders, Jammu and Kashmir Legislative Assembly election, 2014 saw highest voters turnout in last 25 years since insurgency erupted in the region. Indian authorities claimed that this is vote of Kashmiri people in favour of democracy of India

BJP joins government

2015 March - India's ruling BJP party is sworn into government in Indian-administered Kashmir for first time in coalition with local People's Democratic Party, with the latter's Mufti Mohammad Sayeed as chief minister.

2015 September - Muslim separatist leaders in Indian-administered Kashmir close shops, businesses and government departments in protest at the enforcement of a colonial-era ban on eating beef.

2015 November - One person dies in violent protests following a visit to Indian-administered Kashmir by Prime Minister Narendra Modi.

2016 January - Chief Minister Mufti Mohammad Sayeed dies.

4th April 2016: Mehbooba Mufti started serving as the CM of J&K.

January,2017: Mehbooba Mufti said Article 370 is a bridge to Connect J-K with Rest of India

August,2017: Mehbooba claims PM Modi's Support on Status Quo for Article 370.

HAPPY RESEARCHING!!!!