

PEOPLES RIGHT



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Editorial

The opening issue of this journal is reaching out to readers at a time when the country's political theatre is in a turmoil. The ruling party at the centre has come back to power with a thumping majority in the parliamentary elections, and the opposition is in complete disarray, with many actually queuing up to change their coats. Consequently, the parliament has been a one way street with the party in power pummelling through a slew of legislations which will seriously impact the life and livelihood of the people and their struggles. The RTI amendment bill, NIA amendment bill, labour law codes, Triple talaq bill were all passed with ease, and many from the opposition actually supported these bills. Even a "constitutional coup" enacted in the form of the passage of the Kashmir state reorganisation bill happened in a fast and furious pace.

As we go to press, the entire Kashmir valley is in lockdown, with no landline or mobile or internet connectivity, no cable television, endless hours of curfew, shops shutdown, hundreds in detention, and a complete clampdown on free movement of media. The people of the valley are cooped up in their homes, under the hawkish watch of the thousands of paramilitary forces, both on the streets and in the air, with some intermittent allowance to travel here and there. They are virtually prisoners in their own land. It is not even clear when this lockdown is going to end, with even the supreme court noting that the situation is sensitive and one must allow the government to restore normalcy.

All democracy loving citizens wait with abated breath.

On the other hand, the economy is in doldrums. Unemployment is increasing, wages are shrinking, industrial output is rapidly slumping. Millions of small and medium scale industries have shut shop due to unviable economic conditions. The farm sector is also not in good shape, compounded by the neglect of government, drought, impact of market liberalisation. And there are loud murmurs of public sector disinvestment.

The authoritarian mindset of the state is being regularly expressed via the

throttling of protests or criticisms, often labelling all such voices as “anti-national” or subversive. Many are in jail or face incarceration. Fear of public lynching is a reality for many in a largely communalised atmosphere, with national chauvinism and religious bigotry being whipped up by the foot soldiers of the ruling dispensation, leading to a state of perpetual unrest, aided and abetted by a largely jingoistic media, and generous funding by sections of the big business.

Even in these conditions, the march for greater democracy should never slow down. The democratic rights that have been gained over decades and centuries of people's struggles ought to be protected. And newer rights have to be won for a better tomorrow. Through the pages of this journal, we will document the coming days and engage in larger conversations. In this issue, we have three articles which in fact focus on some very pertinent issues that we are confronted with, viz. a study of the current ruling regime at the centre in the broader context of the politics of Indian ruling class over the last several decades, an analysis of the present economic downturn and the employment crisis, and a chronicle of the situation in Kashmir.

Editorial committee

Preface

CPDR-TN is bringing out this journal (quarterly) **Peoples Right** with the earnest hope that the readers would see the need for such journals at this juncture when the voices of democracy all over are under great threat.

CPDR-TN was started in 2015 December and since then has been actively trying to raise the question of democratic rights amongst the people and make them aware of the state repression meted out to the democratic rights activists routinely and which do not usually find a mention in the mainstream media. Formation of CPDR-TN was at a juncture when the new BJP government had come to power in 2014. And the attack on the Muslims in the name of cow slaughtering was on the rise. Innocent common people like Mohd Akhlaq or Pehlu Khan were killed in UP and Rajasthan. It was also the time of protest by intellectuals and a large number of artists and writers came out surrendering their medals and awards in protest against such fanatic attacks and the silence of the government against the lynching.

We also saw the unrest in institutions of repute like FTII, UOH and JNU by the students and teachers of resisting interference of Centre. Death of Rohit Vemula had exposed the inhumane condition of university campuses that prohibited the free learning atmosphere for the Dalits.

We have come a long way from raising our voice for Poorna Swaraj from colonial rulers while facing the onslaught of draconian like Rowlatt acts. Protest against this took the lives of people in Jallianwala Bagh Massacre. Presently the free Indian govt is adopting the same old laws of the colonial rulers. Preventive laws are promulgated since independence to restrain the individual rights of citizens and dissent is easily confused with sedition.

Post liberalisation period since 1990s gave way for the infringement on citizens' rights in the name of priority of governance to cater to the development over the individual rights. In the post liberalisation period, Courts have generally followed the principle of non-interference in the policy matters of the govt when it comes to the citizens rights

to be ensured under the Directive Principles of state policy. CPDR-TN, along with other constituent members of CDRO, have brought out the details of the killing of unarmed protestors in Tuticorin by the police and the state in the name of containing anger against Sterlite factory. Thus, there is a clear shift in bias towards the more powerful corporate interests when it comes to conflict of interest between the individuals rights and the corporate.

Recent years saw the dissolution or dilution of public institutions like planning commission, RBI, Higher education councils like UGC etc that cater to the needs of democratic functioning and centralisation of the authority into the hands of single head. RBI, CBI, CIC etc got disrupted by superseding of its nominees to higher posts. Even the judiciary was not free from this as could be seen by political interference in clearing the nominations from NJAC.

The recent NIA amendment bill brought in parliament is passed without great opposition and even the forces that entered parliament in the anti fascist slogan against ruling BJP voted for the same without rising any voice against it. RTI amendment is brought to dilute the powers of CIC. Labour laws are just getting adjusted to provide free hand to the corporate heads, powers to overrule the rights of labour.

As part of CPDR-TN Activities, it has taken up campaign against throttling of democratic voices, rising of communalism, the dangers of draconian laws, on the right to dissent by conducting meetings addressed by renowned professors and activists. Some of our notable speakers in the past include Adv. Kranti Chaitanya, Prof. Anand Teltumbde , Prof Seshaiyah and Prof. Ram Punyani.

CPDR-TN , as a constituent unit of CDRO, Co ordination of democratic rights organisation was also part of several Fact finding to Malkangiri encounter killings of Maoists and repression on villages, to Dantewada on Mukund steels plant expansion, to Kerala on encounter Killing of Maoists, to Tuticorin on Massacre of Peaceful protesters against Vedanta and to Niyamgiri on killing of protesters against Vedanta and repression on Niyamgiri tribals.

CPDR-TN feels the need to bring together different streams of thoughts in all aspects of socio-politico-economic policies affecting the citizens and starting of this journal is a step in this direction.

Introduction

In this first issue of the journal, we have three major articles on contemporary issues. These are:

a) Review of the BJP regime in the light of 100 years of the politics of Indian ruling class:

This article is a review of the first full-term government led by the Hindutvadi forces, namely the BJP. The party came to power with an overwhelming majority and hence the author has examined features of this government. Any government policy may either be a continuation from the past or a radical feature. The author painstakingly has delineated both. He has shown that the colonial power, for ease of their administration had opened up gates for aspiring Indians to be part of administration and exactly 100 years ago they had also promulgated a draconian law called Rowlatt Act to curb the freedom struggle and equip the government to make preventive arrests.

Even after 1947, these draconian rules remained in different names and at different times. UAPA is the latest in this series. It is worthwhile to remember that, though the present article stops at the end of first five years of the BJP rule, the present BJP government has sharpened the UAPA and made arrests under suspicion legal. In this sense, it is a continuation of the rules from the colonial times. On the other hand, except during the black days of Emergency, no previous Central Government had tried to disrupt and dismantle the activities of public institutions like RBI, Planning Commission, UGC and the like. No prior government has made so brazen attack on the autonomous educational institutes like the JNU, the FTII, UoH, etc.

never before fringe elements could carry out lynching of people and killing of intellectuals with such impunity. Thus, this regime shows a fascist tendency of capturing all powers to itself and is a radical departure from the previous governments.

b) Present economic situation and job scenario: In this article the author touches upon the very important aspect of unemployment rates both in rural and urban sectors. Contrary to the claims from different quarter, including the government sources, that the rumour of a phenomenal rise in job opportunities, the author has shown with appropriate statistics how the growth of jobs has reduced. This means that for a country like India, with a very large portion of young men and women entering job market every year, the prospects of securing a job is diminished. Not only the number of available jobs have not increased proportional to the increase in the number of job seekers, there is a steady decline in the quality of jobs, with some sort of social security, available. With trade liberalisation, there is an increasing possibility of coming of foreign capital and resultant loss of domestic traders who will then pass the burden to the workers with reduced pay. This will shift the workforce to some other sector and this will necessarily imply a loss of working days of the workers.

c) Kashmir: Kashmir, since the early days on Indian independence, has been a hotbed of controversy. On one side we have the dreams and aspirations of the people of Kashmir and on another we find the politicking by the powers that be in Delhi and Islamabad. This article was written before the recent abrogation of Articles 370 and 35A. The Editorial team decided in favour of retaining the original flavour and has, in consultation with the author, has added one addendum at the end of the article to portray the recent developments. The article traces the problem and how high handed attitude of successive governments have eroded the very basic democratic rights of the people and firmly stands behind the demand for restoration of democracy and allow the people of Kashmir to decide their future.

Review of the BJP regime in the light of 100 years of the politics of Indian ruling class:

Prof. KARUNANANDAN

The Government of India Act was enacted hundreds years back in 1919. This had two provisions for special powers. The Governor was vested with powers to handle few important portfolios of governance, while other portfolios like education, Health, etc related to the welfare / service of the people was vested with the elected Indian representatives in the council. This gave space for the Indian representatives to become Ministers and participate in governance. The act had its own lacunae. Indians wished to have a full fledged control over the Governance. It did not fulfil their ambition to enjoy full power. But it was first time Indians participated in the governance and thus can be termed the FIRST STEP TO DEMOCRACY.

The year 1920 witnessed another significant development. It was the year, the diarchy was implemented in India. The elections to councils were conducted in different states. Though the Congress party did not participate in election, it had its representatives elected independently or through other organisations. Amongst those states the best governance was provided in Madras province by the Justice Party. ***It enacted forth several progressive legislations like, Rayatwari abolition act, Devadasi abolition act, Hindu temples protection act , Communal voting rights***

act and Voting rights to women etc. This year is the centenary year of the Justice party formation. This is also 100th year after Gandhi's entry into Indian politics.

Gandhi made revolution in South Africa by rising the issues of rights for the Indian repatriates in 1919. There were a great expectations from him when he returned to India. In South Africa he did not raise the issues of elites. He had raised the issue of common coolie workers of Indian origin who had gone there for earning their livelihood. His efforts to raise the issues of those coolie workers not belonging to Upper castes had evoked great expectations from him. Periyar also joined him on his return to India.

Till the year 1919, Congress was involved in raising the issues of elite people like education, employment and postings alone. After Gandhi's entry into Congress it focussed on Bihar Peasant issues, Ahmedabad Mill workers Issue and introduced Satyagraha. He considered that a political movement cannot just be for the capture of power alone. It ought to be for the peoples welfare as well.. Before Gandhi's entry into politics, Tilak had led the movement based purely on religious passions. Gandhi changed the direction of its course. He led the political movement based on peoples welfare. This can be termed the GANDHIAN ERA as such.

First world war came to an end in the year 1918. Whenever a government is in war it was natural for them to declare Emergency. Common rights of the citizens are curtailed during this period. English government drew the support of Indians and won the war. But after the end of war, Defence of India Act becomes null and void. But the government that enjoyed authoritarian power does not wish to relinquish its powers. It's more bothered about its control over power.

Hence it appointed in February 1919 a committee to go into these. It's called the Sedition committee. It was headed by Justice Rowlatt who was in the Kings Bench Court. There were other two English men along with two other Indian counterparts. Justice Basil Scott, Chief of Bombay High Court and member of Board of Revenue U.P. Verney Lovett were the English representatives in the committee. Justice C.V. Kumarasamy, the then chief Justice of Madras High court and Probash Chandra Mitter, the legal practitioner at Calcutta High court constituted the Indian counterpart. ***The committee was given the purview to study Continuing Conspiratorial acts, Enlist the Revolutionaries, Provide Suggestions to the government on Ways and means to efficiently curb these activities. The Act that came forward for this purpose was called the ROWLATT act. The English ruling Class and their Indian Counter parts had joined hands and brought this Rowlatt Act to curb the rights of people India.*** Today is its centenary year.

Today the colonial government is gone. But the acts they brought to suppress us are still in vogue. One can understand the reasons

behind the colonial rulers apprehensions. They were foreigners and not going to stay put for long. They viewed us with an eye of suspicion. **Even after the independence we are clinging onto the Sedition laws brought by them. Then the question arises now. Are we ruled by our people or the foreigners? Whosoever resorts to this law are foreigners to Us. The rulers view us as foreigners.** we must understand this difference.

Congress released a Manifesto during this election. It mentioned about the repealing of draconian laws such as Sedition Act, AFSPA etc. There was big furore over this from ruling BJP government. The people were appealed by BJP, not vote for Congress for just promising to repeal draconian law itself. Scrapping the draconian law amounts to supporting the terrorists and separatists. The democratic rights' issues raised during the independence struggle is not resolved yet. Jallianwala Bagh Massacre occurred during such an attempt to raise voice against the Rowlatt act. Thousands of people were killed by an indiscriminate firing on a peaceful assembly. It was established that day the lives people are not safe if they raised voice against the draconian laws.

BJP is great DISASTER to the nation. It is a threat to the values for which we fought and struggled during the independence movement. Today the Modi Government is having its absolute majority. They would not hesitate to do anything they wish. They have that rogue nature. BJP is a threat to our vision of Indian nation. During the independence struggle lot of events occur by chance. Monarchy was removed. Democracy came

into existence. All the pieces of lands under different kingdoms united together to form the New Indian Nation. It became inevitable for the formation of The New India as several features were intermingled with it during the independence time.

The apologists of old Hindusthan were present that time. There were two concepts of Nation. Tilak and Malaviya represented the view that it should be a Hindu nation Centred around Hindu interests where others would live as second class citizens at the mercy of Hindus. The other view upheld by Gandhi and Nehru alike was Integrated Indian Nation. There were several attempts on Gandhi's life for putting forward the Integrated Indian Nation by the Hindu Chauvinists. Ultimately he was murdered by Godse.

In an essay written in 2015, the author belonging to the Hindutva group suggested that Godse ought to have assassinated Nehru instead of Gandhi. This contempt and hatred were due to the fact that Nehru envisioned a secular, socialist Indian nation. While Hindu nationalists detest the very concepts of secularism and socialism. Religious nationalism nothing but Majoritarianism. Which cannot be construed as Democracy.

In Roussou's words, Demo Cracy is not the Rule of Majority but a rule by general will. In which no segment could be alienated. It does not reject any body. The Hindu system based on Hierarchical society is inconsistent with the idea of equality.

The present rulers when they came to power in 2014, resurrected the old Preamble of 1950 constitution which did not carry the terms 'secular and socialist', brought in as

42nd amendment. This exclusion exposed their aversion to the secular Indian nation. Obviously, they attempt to destroy the federal structure so that they could establish a unitary state. They have no liking for democracy too. They want to lead the Indian nation to a Fascist Authoritarianism. We are now at such critical juncture.

Today atleast some media are able to publish dissent voices. This is just semi fascism. As for the presnt government is concerned, they are most dangerous to the concept of Indian nation. Today more and more centralisation is on the anvil. A committee was constituted for UGC abolition. HECl act is now on hold. As on date education is on concurrent list as such. As for as Tamilnadu is concerned, the present government is earnest to the line of Modi government for its own reasons. The draft NEP envisages a reduction of 55000 and more higher education institutions to 12,000 within 10 years. It intends to eliminate the role of states and Universities so that all these institutions would come under unitary political agency of the Ventral goverment (RSA). There would be no liberal education but a dictated and directed education wholly at the mercy of the RSA.

It is enshrined in Our constitution that Religion should not intermingle in Politics. It separates religion from politics. That Politics should not be based on religion is its motto. But Hindutva forces present religious issues as primary in their politics. They kindle the religious passions of people. Prime minister resorted to appeal to the Hindu voters not to forgive and to reject them in election. There is no action taken by the Election

Commission of India on all these. One is forced to presume If the ECI lost its independence. There is a faint hope that few institutions should function independently.

There are attempts to politicise the Indian army. Army officials issue statements in support of government. If queries are raised on Rafale deal, it is portrayed as an issue concerned with National Security. If queries raise as to how orders were placed for Dassault company in France it becomes issue of National security. When the BJP raised such issues on Bofors then it was not considered an issue of National security. If the queries are raised against the scam by the present government, then it is National security concern. Obviously Corporate security is National Security for them today. If this is what is Patriotism demands, then we reject such an idea of patriotism. To safeguard the corporate interest and the scamsters, bogey of patriotism is raised. They unleash repression on those who oppose such bogey.

Presently there is no free atmosphere in the educational institutions. Students are punished. Teachers are being thrown into prisons. They dictate how to conduct research, on what to research, by whom to be researched, on whom to approach for evaluating the research. How can this be a Democracy. Or freedom for Academic Research.

Dissent is Sedition now. Dissent is anti national. Dissent is treason. If one has to be a true nationalist he must oppose such anti national forces against Dissent opinion. Now its time to bring an end to this treacherous forces.

There is another danger in store for the concept of Federalism. India is a Union of states. It's a federal state. Today a situation of apathy prevails against any non BJP government to survive in states. All the powers are being centralised. The revenue of the states are being gobbled by the centre. Funds are not being released for storm affected regions. While funds flow lavishly for foreign trips of the Prime minister and the Patel Statue erection. How can this be a people friendly government that is not concerned about its own people in distress. This is a government that wants to centralise its power, it wants to impose Hindutva, it wants to destroy federal structure.

Today in the name of education Modi government wants to spread Cultural education by Sanskritisation of education instead of Secular education. Attempts are being made to revive the old traditional values. Single teacher schools are being celebrated as great virtue upholding the Gurukula education. We have come along away eradicating the single teacher schools raising Multi teacher schools. Why such celebration for single teacher Gurukula education? No Christian nation follows old testament as its school curriculum. Even while Muslims uphold their Holy Qur'an, is not their history text. Where as ***fictitious Ramayan and Mahabharat are being sought to be projected as historical with great amount of funds expended for the same. The Indian government authority is used for this purpose.*** We are surrounded with threats all around. We need to clear them all. The great disaster has to be overcome. We have to root out fascism in toto.

Unemployment in an era of high growth:

Some Issues from fast transitioning India

Prof. M. SURESH BABU

INTRODUCTION

India faces the serious challenge of finding jobs for a growing population over the next 35 years; its economy could absorb less than half the new entrants into the labour market between 1991 and 2013, (Asia-Pacific Human Development Report 2016). Between 1991 and 2013, the size of the “working age” population increased by 300 million and Indian economy could employ only 140 million, suggesting a limited capacity to generate jobs. Further, 2050, at least 280 million more people will enter the job market in India. According to labour ministry data, around 1 million people enter the workforce in India every month. Many others simply choose to study more. At any given point, around 30 million students are pursuing higher education in India. India, with large low-income population, big agriculture sector and high rural-to-urban migration, focused on specific industries, particularly in manufacturing, to create jobs but the manufacturing base is still small, contributing to only 15% of GDP and 11% of employment. One of the reasons cited for the creation of fewer jobs between 1991 and 2013 is the nature of growth the Indian economy, which is, mostly services-led growth with low employment intensity.

Creating jobs is India’s central challenge. India needs to generate jobs that are formal and productive (GOI Economic Survey 2016-

17). But data from four Annual Surveys by the Labour Bureau since 2011-12 reveals that nearly 20 million people entered the labour force (5 million per year on an average) but only 15 million have jobs including self-employment. The erstwhile Planning Commission has recognized the possibility of such a situation as one of the objectives of 12th Five Year Plan noted that work created should be (a) productive and (b) decent. The issue gets compounded, as working poverty remains a problem. Nearly half of workers in Southern Asia live in extreme or moderate working poverty, that is, living on less than US\$3.10 per day in purchasing power terms. World Employment Social Outlook 2017, ILO.

RECENT DISCUSSIONS ON UNEMPLOYMENT

The recent debates in India on the magnitude of unemployment can broadly be classified as (a) analyses that argue that the claims of jobless growth are misplaced and exaggerated and (b) evidence that report that the growth of jobs (more importantly regular) has slowed down in the recent periods. The past two quinquennial NSSO surveysshow that the net annual addition to regular jobs was roughly two-and-a-half million between 2004-05 and 2011-12. While this slowed down to one and a half million between 2011-12 and 2016. The data for 2016 is based on ICE 360° survey

	2004-05	2011-12	2016
Regular workers (% share)	15.87	19.18	20.47
Annual pace of change (in millions)		2.43	1.59

Then the data from ASI and from Centre for Monitoring Indian Economy (CMIE) also depict a picture of slowed growth of regular jobs. The job growth from the corporate filings fell sharply after 2011-12, up until FY15, and has recovered since then, but the pace of the recovery too has been small.

Growth of Regular Jobs in Industry

Financial Year	All companies from CMIE	Organized manufacturing sector (ASI)
2006	4.15	7.81
2007	4.75	13.42
2008	4.12	1.23
2009	3.44	8.42
2010	2.34	4.17
2011	5.30	7.63
2012	3.68	5.77
2013	0.62	-3.53
2014	1.65	4.56
2015	-1.89	2.57
2016	2.29	3.15
2017	2.34	

In terms of the quality of employment, the share of regular workers with some form of social security has also declined. 50 percent of the regular workers had some form of social security in 2004-05, this declined to 45 percent in 2011-12 and further fell to 38% in 2016. The share of regular workers with at least written contracts fell from 45% in 2004-05 to 38% in 2011-12 and further fell to 30% in 2016. However, the increase in the subscribers base of EPFO from 2017 to 2018 can be seen as a penetration of social security among the regular workers, but not new jobs being created.

The NSSO surveys of 2004-05 and 2011-12 indicate that the share of educated landed families in regular jobs was relatively low in 2004-05, and declined further in 2011-12. The share of marginal and small landowners with at least a higher secondary or diploma degree in regular jobs was relatively higher than the share of medium and large landowners with the same qualifications in such jobs even though regular workers among large landowners were more likely to have social security benefits. This lack of adequate regular jobs among the large landed classes might have been a reason for the protests in Northern India over reservations.

The participation of female workforce in India, declined sharply during the period of fastest economic growth. This accompanied, by an increase in the number of women who were “attending to domestic duties” as per the quinquennial NSSO surveys in the year preceding them.

Share of women attending doemstic duties who would prefer a certain type of work

	2004-2005	2011-2012
Rural	51.80	59.74
Urban	63.06	63.66
All India	54.79	60.92

The share of women attending to domestic duties was higher in urban than in rural India, but there was higher rise in share of women in domestic duties in Rural India. Many women who are attending to domestic duties are willing to work part time, if the work is available at households, in this respect tailoring is the most favoured work. Most home-makers would prefer to work in tailoring. The figures depict the share (%) of respondents who would prefer a certain type of work among women attending to domestic duties. But the constraints facing them with respect to starting the part time work seem to be skill training and access to finance. Nearly half of the women participating in large surveys cited access to finance as major problem in starting the work, while one thirds cited skill training.

In terms of the official view on employment in India, the article titled “All you wanted to know about Jobs in India – but were afraid to ask” by SurjitBhalla and T Das argue that there has been substantial job growth under the present governments which has not been reflected properly in the media reports and surveys done independent agencies. They take a firm stand that India does not require 12 million jobs (which is popularly understood to maintain the constant unemployment rate), but rather around 7 to 8 million jobs would suffice to maintain the rate. The paper estimates that there has been a net increase of 12.8 million jobs in 2017 and between 2013-17 there was a net job creation

of 22.1 million. The authors use different reasons and cause to substantiate their claim of this higher job growth. They site the massive growth in construction, business friendly initiatives by the government, private investments, EPFO enrolment as reasons for the increased job creation.

A often hear claim is that the increase in road construction has been a major driver of jobs in the country and estimate that 1.7 to 3 million jobs were created in construction of roads alone. But these estimates suffer from two inherent problems, one is the fact that the majority of the workforce involved in road construction is low skilled and uneducated, and that being the case, the majority of them might simply be the rural agricultural workers who have been displaced from their jobs due to the acute agricultural distress facing the rural economy. This crisis has been a result of the major disturbances created in the rural economy through demonetisation, consecutive drought years, falling prices etc. As this road construction being located in the country side, there couldn't have been any migration of workers to urban spaces, but rather a displacement of their work and the jobs thus created is not new employment in any sense. Second, the authors arrive the above mentioned numbers by merely assuming the rate of jobs generated, without any hard numbers. The authors say that between 2009-10 and 2011-12 an 8.3% increase in road construction lead to 1.2 million jobs. Then they use the same rate to predict the job creation in 2017-18, which might lead to an exaggeration of the numbers as the effect of a percent increase might be very much different in 2017-18 than between 2009-12 due to the improvements in road technology and associated factors. As a result

the jobs created will be lesser than the estimated 3 million.

Official sources also cite, MUDRA scheme started in 2015 as a possible reason for the growth in jobs. This scheme tries to finance small and micro enterprises through banks. As per the scheme small and micro enterprises may seek a loan of upto 10 lakhs to develop their business. The amount sanctioned is said to have been almost doubled since it started. The ASI data (which covers Manufacturing) of 2015-16 (the first year of the scheme) show that the number of workers and total persons engaged slightly fell from 2014-15 for the small enterprises. The performance of the firms in the subsequent two years cannot be any better due to the dual disturbances of demonetisation and GST which are said to have greater impact on small and micro enterprises.

The rise in EPFO subscriptions has also been used as a proxy for claiming that there has been an increase in the jobs. The proponents of this subscribe to the estimate of Ghosh and Ghosh² that 7 million formal jobs were created. And 1.8 million jobs were created for the age group of 18-21 (as this gap will be mostly first timers). This estimation suffers severely from the problem of double counting. And all the enrolments received might not be new jobs. The article itself states that the government has committed to pay the full 12% contribution to the EPFO for all the new employees. This is a greater incentive for employers to register under EPFO and formalise the workers as they are no longer contributing, and the employers can benefit greatly from the associated advantages of formalising their workforce. This possibility is greater for the firms with employees just below

20 in number and also the firms which ever unregistered previously. Also in the pay roll data released by EPFO for Sept 2017 to Apr 2018, it is stated that these estimations might include temporary workers whose contributions will not be throughout the year. This can lead to double counting of the temporary workers due to the contributions in different months to the same job. Using the age bracket of 18-21 might not avoid this problem of double counting due to the temporary nature of their job.

The official stance is that India only requires 7-8 million jobs every year. This is a gross underestimation as, there way more graduates and also the agricultural workforce shifting to construction and other low skilled employment. And together the number of job seekers is way more than 7-8 million jobs as estimated by the different authors. The absorbing capacity of engineering graduates too has not been impressive. As a result there will be a huge employment deficit if only 7-8 million jobs are created.

EDUCATION AND JOB MARKET

Three quinquennial NSSO surveys indicate that the returns from education have climbed steeply. In 1999-2000 a graduate would earn 2.4 times the salary earned by workers, who had schooling till class VIII, this had increased to 3.3 times in 2011-12. While the earnings premium increased at higher levels of education, the premium from lower levels has not. There could be two possible factors for the rise in premium for higher education and the stagnant, or even declining salaries, for workers with basic schooling. One, the demand for high skilled workers with advanced education has increased with the

improvements and advancements in technology. The other is that the decline in learning outcomes which were indicated by successive rounds of ASER, might have led to employers to discount the value of school level education. The premium on vocational training is high for those with lower levels of education

A majority of scheduled caste (SC) and scheduled tribe (ST) workers are illiterate, or lack formal schooling. Nearly a half of OBC wage earners also lack formal schooling. But among general category workers, less than one-fifth lacked formal schooling as in 2011-12. Among general category workers, nearly 1/3rd were graduates, while a little over one-tenth of OBCs had a graduation degree. Among SC & ST workers, about 6% were graduates.

The share of SC/ST/OBC graduate workers with a regular job was higher than that for general category workers, partly because there are fewer graduates among these communities, and partly because of reservations in government jobs. Educated regular workers from marginalized caste groups earn significantly less than upper castes.

STAGNANT EMPLOYMENT GROWTH AS A CONSEQUENCE OF TRADE LIBERALIZATION?

Advocates of free trade argue that protection of a sector, typically manufacturing, through trade barriers might lead to increases in prices of the output of that sector and also an increase in profits of producers, by conferring rents rather than encouraging efficiency. Attracted by these higher prices and profits resources then get allocated to the

protected sector. Protection thus could encourage the allocation of resources into sectors in which a country does not have a comparative advantage. It follows that in many developing countries, according to this view, protection has encouraged excess resources into inefficient activities and insufficient resources into potentially efficient activities. This bias is exacerbated by policies that tax and discriminate against efficient activities. And these tariffs and non-tariff barriers also encourage unproductive activities (rent-seeking), tax avoidance and evasion. The panacea suggested was to dismantle protectionist regime and liberalise trade by a set of reforms that reduces the bias against the production of exportables to bring relative prices for importables and exportables in a country closer to relative world prices for the relevant commodities

The policies of trade liberalization, which was initiated in India since 1991 could be classified into two broad groups (a) those which were intended to reduce domestic distortions and (b) those intended to ease trade with the rest of the world. The rationale for import liberalisation by way of reduction in tariff rates and a movement away from the quantitative restrictions was to bring cost reduction via lowering the prices of intermediate inputs and enhance competitiveness of the final products. Controls via quantitative restrictions which accounted for 90% of items in the pre 1991 era, decreased dramatically to 51% even as early as in 1994-95. Along with this movement away from quantitative restrictions there were also substantial reductions in the tariff rate.

To assess the impact of trade liberalization we need examine its aftermath costs. If foreign competitors are more efficient than domestic

producers, when import barriers are lowered, domestic consumers can be attracted by foreign producers with their lower prices. Domestic import competing firms in those markets then will face downward pressures on sales and profits. This eventually can lead to pressure for lower wages, employment losses and even closure of some firms. Labour and capital might be forced to leave in order to find employment in other sectors of the economy with the advent of lower wages and/or job losses and the prospects of lower returns to capital in their current jobs and investments. These greener pastures for labour and capital is very likely to include the country's export industries, especially if trade liberalization is the kind of reciprocal liberalization that occurs in a multilateral negotiations. Sometimes transitions from the previous employment to a new employment take place relatively smoothly. This happens when a booming export sector 'pulls' workers and capital away from domestic import competing firms. Unfortunately, this is not always the case and workers incur costs in the form of periods of unemployment, along with moving expenses and/or retraining costs to obtain new skills.

In services sector, technology is changing the world of work and reshaping labor markets. This is more pronounced as the 'outcome effects' of ICT-enabled smart machines, smart devices, and smart techniques on employment. However, there is considerable scope for policies to shape these effects on employment as there are clear opportunities from digital jobs and the wider use of digital tools. However, ***technology also brings risks. Some jobs might also be digitized to varying extents, with some workers or part of their***

functions being replaced by technology. The ability to take advantage of opportunities will also vary among individuals; workers with higher levels of skills more likely to benefit, while those with lower skills might be less prepared and hence more exposed to risks of lower job quality and of job loss. There are growing concerns about whether the adoption of improved and lower-cost technology by businesses and governments could have negative impacts on employment or lead to inequality, allowing some part of the population to benefit greatly, while others might find themselves with limited economic opportunities. Employment scenario in India presents a picture akin to this.

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The people of Kashmir will definitely protest with their lives against what essentially is the abolition of their existence, as they have been protesting for generations now. We from CDRO think that it is now for the people of India, especially the organizations which hold democratic ideals dear, to unite to protest against this action of the Hindutva supremacist BJP government, as this is clearly a sign of what is in store for us in the coming days. Because, the existence of India as a state with any semblance of democracy is now disappearing in front of our eyes. We remain silent at our own peril.

Towards Settler Colonialism and Assimilation of Kashmir

Prof. ALOK LADDA

Editorial Note:

The editorial office received this article before the recent abrogation of the Articles 370 and 35A, bifurcation of the state of Jammu and Kashmir and removal of statehood for the region. The editors, in consultation with the author, have added the following note without changing anything in the original article. This is because, the author and the editors believe that the trend of events brought out in the original article helps the reader to understand present-day happenings better. We hope to bring out a detailed analysis of what this abrogation implies for the lives of common Kashmiris in a subsequent article.

2018 was one of the bloodiest year in the lives of people of Kashmir in last decade. The state witnessed over 586 deaths including deaths of 160 unarmed civilians . Total number of injured including those blinded by Pellet gun attacks once again ran into Hundreds. The current wave of repression started early last year, when the Indian army launched so called “Operation all out” with it’s purported aim to quash the armed insurgency . A name like “all-out”indicates a high intensity warfare. But as this operation is amongst a population with whom we are technically not at war, one would expect such high intensity repressive tactics to have a limited time span. However all-out has continued for almost one and half years now. This is not surprising as the true aim of this operation is to crush any movement of the Kashmiris through which they articulate their demands including their primary demand of Autonomy.

As the Indian state openly embraces the RSS mandate on Kashmir and uses Israel occupation and colonisation of Palestine as a guide book, the current offensive by the para-military forces and state machinery are likely to continue for many years. With an intensified military operation, we have seen more killings of civilians, more enforced disappearances and complete breakdown of Kashmiri Civil life.

Before we begin to analyse the current political, social and economic situation in Kashmir, let us first recall the central problem (usually called the Kashmir question) and the program and strategy of the Indian state under current government to solve the problem. The core tenet of the Kashmir question is rather easy to surmise. ***It is the demand of the Kashmiri people that they be given what was rightfully promised to them under constitution. Namely, the plebiscite on self-determination. This demand which***

thanks to India's brutal policies of repression and dehumanisation has now transmuted into a clear demand for independence from Indian state. Any secular democratic state in which an entire population of people demand independence and autonomy is (at the very least) expected to start a dialogue with that population and its representatives . However even during the "high points of its democracy" when RTI was implemented or NREGA came into practice, India's democratic credentials fell flat when it came to a meaningful dialogue with Kashmiris. Since 1992, irrespective of which government was in power, the Indian state started blaming Pakistan as a "source of all evils" as far as disturbances in Kashmir were concerned. This in turn started a process of dehumanisation of Kashmiris as passive zombies who were brainwashed by Pakistani agents and hence their demand of Plebiscite and Independence had no legitimacy. With this core premise of the state well set, successive BJP and Congress governments tried to sideline this demand by initiating dialogues with the people and their leaders.

BJP, as a political wing of RSS has a distinct position on this issue. They do not believe in any kind of dialogue with Kashmiris when it comes to the question of autonomy . As one of the core political programmes of the sangh parivar is a complete assimilation of Kashmiri identity, all the policy manoeuvres the government does today is precisely keeping this program in mind. When seen in this light, the aggressive strategy of the Indian state in Kashmir today is not "wrong-footed" "ill-advised" or "bound to fail" as many analysts

say but is precisely taking Kashmiris and their struggle in a domain where Kashmir question as well as the ongoing conflict are remoulded into a proxy war between "the good India" and "the evil Pakistan". This fictional re-writing of the real issue also clearly resonates with communalism as it becomes a conflict between the RSS vision of Hindu Indian state and Pro-Pakistan Kashmiri population that is pre-dominantly Muslim. Hence the immediate future of Kashmiris look increasingly bleak as they face an ever increasing militarisation, puppet state governments and Hindutva inspired settler colonialism.

CURRENT POLITICAL SITUATION :

Political Situation in Kashmir in last 4 years and especially since 2016 continues to be volcanic . A crucial political victory for the RSS was the imposition of governor's rule in June 2018 after the fall of PDP. PDP's popularity among the Kashmiris had plunged after their alliance with BJP and when the government fell, their were recorded instances of celebration in areas in Kashmir which used to be PDP strongholds. This was primarily because one of the core pre-poll promises PDP made in 2014 was that they will make the Indian army more accountable. This never happened and the human rights violations in Kashmir continued to hit new lows during the PDP rule.

In December 2018 , Kashmir came under President's rule after the governor refused to accept PDP's attempt at reforming a coalition government with Congress and the National conference and accused PDP of horse trading. This completely undemocratic step by the governor turned political instability into

political vacuum in the state. With no state government to even symbolically answer to, this opened the door for the national security advisor Ajit Doval to further intensify the wave of repression in Kashmir. The results of these developments are now clear.

All the channels of dialogues are closed for the people of Kashmir with their representatives like Hurriyat leaders facing arrests and intimidation under Public Security Act (PSA). As a facade to show the international community that the government was attempting to dialogue with Kashmiris, the clueless Dinesh V Sharma was appointed as an interlocutor early this year. However no one (perhaps including Dinesh Sharma himself!) really knew what his role was , what authority he had to negotiate, who he was allowed to talk to etc. The Panchayat polls earlier this year saw a shocking lack of participation by the Kashmiris. In most of the places elected councillors were originally from Jammu and had to be put up in a hotel with massive security after they “won” the elections. With the councillors not even living in the districts they were supposed to represent, Kashmir district level elections offered one of the most striking examples of a flawed electoral democracy ! As the government ruled out conducting assembly elections in Kashmir along with the national elections, politically Kashmir continues to be in a limbo with an unaccountable Indian army acting as a de-facto administrator.

ISLAMOPHOBIA AND POLITICS OF HUMAN RIGHTS VIOLATIONS

According to a report by Association of Parents of Disappeared person (APDP) and

J&K Coalition of Civil Society (JKCSS), Kashmir saw it's bloodiest year in recent history. Among the 586 recorded deaths, 160 were civilians, 260 millitants and 237 Indian Army personnel. Increase in the militancy and rise in the number of millitant killings by police and armed forces is also directly correlated with tenure of Prime minister Modi. Whereas 2012 saw lowest number of millitant killings in last many years, this number has increased monotonically from 145 in 2016 to 216 in 2017 to 267 in 2018. Already in 2019, over a 100 millitants have died in encounters with the police and the army and the official number of new recruits in the armed insurgency had crossed 50 already by June .

Rise in unarmed Civilian deaths give us a glimpse into the repression people are facing in Kashmir today. Of 160 people killed in 2018, 31 were children and 20 were women. There were at least 191 recorded incidents of use of excessive force by the security forces which resulted in Thousands of civilian injuries . This included the continuing use of Pellet guns which were used indiscriminately in 2016. In fact according to a news paper report , between May 1 and 9 in 2018, a total of 119 people were admitted to Shri Maharaja Hari Singh hospital due to pellet and bullet injuries. a 60 of them had eye injuries due to pellets. APDP also recorded a number of instances of physical assault and beating of civilians by state police and the army.

As per a Humans rights watch report, Indian security forces continue to use Rape as weapon of war to “punish, humiliate, coerce and degrade” the entire population . Two instances of rape of young

women by the security forces are even acknowledged by the state resulting in suspension of Four security officials. However, looking at the history of justice that women in Kashmir have got since the mass rapes in Kunan Poshpura, one can be quite certain that suspension is as much of a punishment Indian state is ready to give to the security forces even when they commit most heinous crimes. This rape as a weapon of war is not only used by security apparatus but also by Hindutva forces like Hindu Ekta Manch as the barbaric rape of an 8 year old girl from Kathua indicates.

Operation all out has other “bonanza” in store for the Kashmiris. Indian security forces conducted a shocking 276 Cordon and Search operations (CASO) in which 31 civilian houses were completely burnt and over 90 houses saw damages to their property. Under current government, even in mainland India, dissent and resistance are becoming synonymous with terrorist activities . Hence it is not surprising that situation is far worse in Kashmir. Hundreds of fresh cases were slapped on civilians under PSA last year and a number of pro-independence leaders were placed under house arrest. At least 3 recorded cases of enforced disappearance was recorded by APDP and it has become difficult to keep a record of all those who are regularly harassed by the security forces via detention and summons to Army camps. Many of these summons according to the JKCSS report was simply because of online criticism of Indian officials and Indian army on social media.

Internet was yet another casualty at the altar of Indian occupation. According to a

report in Newsclick , internet was blocked for 127 days in 2018 . Among other things this has serious effect on the youth and students as any student from India will readily testify were he disallowed internet access for a third of the year. Islamophobia also found a place in security arrangements in Kashmir and for 12 out of 52 Fridays, people were not allowed to pray in the Jamia Masjid. This tactic is likely to be used more often to antagonise Kashmiris and pigeonhole their struggle for self determination as a religious conflict . We see evidence of this in Palestine where blockade of Al-Asqa Mosque is used to humiliate Palestinians , provoke them and use that provocation as a means to justify further repression of those forces who are fighting for independence.

TRAJECTORY OF KASHMIR'S RESISTANCE .

These recordings of state repression clearly outline the contour of the policy the center is implementing in Kashmir . It is the raw unfiltered and vile policy demanded by the RSS . Copying the strategies from zionists, Indian state has ruled out any discussion on the question of autonomy with people of Kashmir. In fact any discussion of autonomy or criticism of Indian security forces itself is considered anti-national by the government with acts like PSA and NSA powerful judicial weapons to silent any dissenting voices. And this tactic is succeeding as all but a few avenues for resistance remain open for the people. There is a real break from the past if we try to situate this struggle into the historical trajectory of Kashmiri resistance . The struggle for right to self determination in Kashmir historically has had many facets

including class struggle being an important component .

Between 1950 to 1980, Kashmir saw a remarkable rise in trade union movement where every sector , from government employees (organised under the banner of low paid government employees federation) to Safai Karamcharis, coolies to textile workers had a union and all these unions came under an umbrella of a single federation. A number of successful strikes ensured that in the public sphere , Kashmir's working class had a collective voice and fought for their rights. As Nandita Haksar notes in her book, Many Faces Of Kashmiri Nationalism, the domain of this trade union movement was entirely outside Jammu as Jan Sangh had a presence there from 1952 and never allowed any working class unity which could have resisted the religion divide. Even though many of the legendary trade unionists in Kashmir like Sampath Prakash were Pandits, they stood for Kashmir's right to self determination . As Haksar notes : When in 1974 Sheikh Abdullah signed the pact with Indira Gandhi, according to which Kashmir was recognized as constituent unit of India (albeit with a special status), the unionists were furious and publicly criticised Sheikh Abdullah. The communalisation of the Kashmir struggle under the reign of governor Jagmohan in 1984 and increasing militarisation decimated the working class movement in Kashmir.

It is not only the right to self determination but right of workers including government employees and informal workers who carry pilgrims during Amarnath yatra on their backs which has completely vanished under the

current dispensation. In the zone as millitarised as Kashmir, any form of strike or protest by workers, majority of whom are muslims is unthinkable. Government employees are often not paid for months and the casual workers who carry Hindu pilgrims on their backs like bonded labours are facing increasing precarious conditions. The places where they ate and slept during the yatra are now increasingly occupied by the army personnel causing them extreme difficulties .

With all avenues of non-violent protests and strikes now closed, armed insurgency is the only effective form of resistance that exists in Kashmir today. This insurgency is no longer Foreign or Pakistan sponsored as the Hindutva ideologues and media would have us believe . This does not mean that there are no Foreign fighters or that Pakistani state agencies do not try to interfere but they are certainly not the source. This is most strikingly evident in the recent gruesome attack in Pulwama where 39 soldiers died . The explosives were homemade and the suicide bomber was a Kashmiri resident. The armed insurgency is also not a homogeneous movement with Hurriyat being a pro-independence but anti-Wahabist platform and militants like Burhan Wani who actively called for not attacking Hindu pilgrims to smaller groups that are emerging recently which view this purely as a religious conflict ironically in tune with the way RSS does.

The armed insurgency is also seeing a cross-class participation with a number of highly educated youth from research scholars to professors joining the movement . These insurgents are also not isolated from the

civilian population as their protests now center around expressing solidarity with the armed insurgents during CASO and giving them a martyr's funeral . The policy of the Indian government, wholly embraced by the key leaders of the Army like Bipin Raut no longer distinguishes between an armed militant and a stone pelter or even an unarmed civilian who protests against the forces when they cordon the area. Every one is considered a terrorist and hence indiscriminate shooting is considered first rather than last option. This insurgency cannot be eliminated and will only increase as marginalisation and alienation of the youth increases. But as we said before, this suits the Indian state as it keeps the Military Industrial complex running with immeasurable profits . It keeps the communal divide in the mainland India alive and it sets the stage for the next phase of the RSS project, namely settler colonialism.

LAND GRAB, AMARNATH PILGRIMAGE AND ASSIMILATION OF KASHMIRI IDENTITY

Illegal and unconstitutional Land grabbing in India is a twin of its development policies. No where in India do we see "development" that is not being accompanied by land-grab either by private corporates or state entities. In Kashmir Land grab is the twin not only of developmental policies but of national security. Indian army itself is reported to have an access to over 200,000 acres of illegal land which is grabbed in the name of the 6,00,000 military personnel deployed there. The "famed" Indus Water treaty under which National Hydroelectric Power Corporation (NHPC) constructed several dams and whose power output remained inaccessible

to the people of Kashmir . In the eyes of Kashmiris, this is another example of "development by an invading power" where resources and land which belong to the people of Kashmir is taken away from them. All the land grabbing in Kashmir is taking place either under the pretext of national security or for a slew of Hydro-electric power projects.

Land grabs and the consequent resistance movements in Kashmir has a long history since the advent of Dogra rule. During Dogra's tenure, private land holding by the peasantry was abolished and the entire peasantry (majority of whom were Muslims) were reduced to life of bonded labour. It was only after the peasant movement led by Sheikh Abdullah and his "Naya Kashmir Manifesto" that land redistribution and land ceiling acts were established in Kashmir. This led to significant improvements in the lives of a number of Kashmiri farmers . But these communities are once again under threat as Indian state owned companies like NHPC can indulge in illegal activities without being answerable to any one. Forms of resistance among the peasant communities in Kashmir has so far remained distinct from the insurgency movement and is restricted to articulating demands for fair compensations. It is fair to say that these demands will not be met any time soon.

As the BJP pushes for eradication of article 35A (the article which defines who the permanent residents of the state are, and gives them special rights and privileges with regards to buying property, scholarships, employments and other state aids) the illegal land grabs by the

Army and companies like NHPC will be accompanied by mass scale migrations of “Hindutva” settlers (akin to the Zionist settlers who have taken over massive tracts of lands in the West Bank in Palestine) whose colonies will change the geo-political reality of Kashmir irreversibly.

Settlements in West Bank came into existence in 1980s under the pretext for having colonies where families of soldiers could live. It is precisely this idea that RSS/BJP government is trying to employ in India. As far as assimilation of Kashmiri identity is concerned, eradication of 35A and setting up colonies of bigoted “Indian Zionists” is an indispensable barrier which RSS will try to overcome during the current BJP regime.

That such Hindutva settlers are spending increasing amount of time in Kashmir is evident from the ever increasing duration for which Amarnath Yatra runs during the year. A detailed report by JKCSS (Amarnath Yatra - a militarised pilgrimage) explains how what started as a 15-19 days pilgrimage now runs up to 60 days. The primary motivation for Amaranath yatra (and other yatras which are increasing in number) is political with Praveen Togadia of the VHP revealing the true intentions of the 21st century Amarnath Yatra in one of his speeches in 1996 : “**The Yatra is very much a spirituo – patriotic pilgrimage and mountain adventure. It strengthens national unity and territorial integrity. The two-month long Yatra mobilises people from all nooks & corners of the country thereby strengthening national unity.”**

This yatra not only humiliates the Muslim

workers who carry pilgrims on their backs but also has a structural participation of Hindutva ideologues who are known as Langar operators . They provide free food, water and supply religious music to the pilgrims (from which they make millions out of which they use a fraction to provide “free food” to the yatraris) . An ever increasing number of Indian forces guard the pilgrims even though no attack has ever been reported on the Yatra since 2002 . The scale at which the Yatra is taking place owes its success in no small measure to the complete Indian State apparatus. In 2001, the entire control of the Yatra was given to SASB (Shri Amarnath Shrine Board) by passing an act in J&K assembly. This act was passed without involving Kashmiris themselves in the discussion. Supreme court consolidated this act by saying that state had no right to interfere in the Yatra and all the logistics would be decided by SASB. Amarnath Yatra is an extremely potent political tool, the RSS VHP and Bajrang Dal has with which they communalise the environment and occupy the Amarnath route for a good 2 months.

WHAT NOW FOR KASHMIR :

The unprecedeted repression of Kashmiris and attack on their primary demand regarding the right to self determination is not a sole “gift” of the BJP . Congress and even the highest strata of Indian Judiciary has paid a vital role in laying out all the ground work for the current scenario. On July 30, 1986, the President of India made an order under Article 370, extending to Kashmir Article 249 of the Constitution . This was done to empower the Indian Parliament to legislate even on a matter

which fall in the State concurrent list. As A.G. Noorani notes, “Concurrence” to this was given by the Centre’s own appointee, Governor Jagmohan. This is one of the many examples which helped build a stage on which RSS and the Hindutva organisations , the Military Industrial Complex, and the Indian ruling class could mount a full scale attack on lives of Kashmiris, their identity , their culture, their lands and resources.

Armed insurgency will continue to foster and try to resist the might of a powerful Indian state . However the effect of the repression on the ideology of insurgency also cannot be over looked. ***Indian state has succeeded in decimating the working class organisations in Kashmir and has ensured that the peasant struggles remain confined to protesting for “legitimate” demands like compensation and have become detached from the militant movement for independence***. With organisations like JKLF being sidelined , there is a real possibility that the armed insurgency gets taken over by Wahabist groups. And this is precisely what the Indian state wants as it will further alienate the (already divorced) armed movement from progressive movements within India. And it is this alienation of the Kashmir’s fight for independence that progressive movements in Indian civil society will have to fight. ***What Kashmir needs today is not a “humanist” support which purports to “understand the Indian state but requests it to take it easy on the Kashmiris” but an uncompromising support for their right to self determination.***

POST SCRIPT

Recent unprecedented move by the Central Government (which is led by the political wing of fascist organisation, namely the RSS) to snatch away the constitutional rights of Kashmiris , and eradicating their statehood in a manner befitting a facist regime is a dawn of a darker era for Indian democracy. The fundamental rights of millions of Kashmiris were taken away while keeping the people, their representative groups and leaders under detention and house arrest , through the imposition of curfew and a complete blockade on communication. This step, which “regresses” their struggle from that of independence to one of autonomy and statehood formally marks complete alienation of the Kashmiris with the Indian state. With this move, the RSS has laid the design for “palestinisation” of the Kashmir struggle as one will see a start of settler colonialism by the Hindutva forces in the state. This move, keeping even the Indian Parliament in darkness, should also be understood as the hurry with which the present regime is trying to centralise all aspects of our federal structures as outlined in the article by Prof. Karunanandan. The impunity with which the BJP could muffle the established political leaders show that the democratic rights activists and common citizen, under the amended UAPA, will have tough times in days ahead. It is now for us, the rest of Indians, to show our will to allow the gradual withdrawal of federalism or to build up public opinion to uphold the democratic values. We firmly believe that there is no neutral path in this period of crisis and hope that we will be able to restore whatever rights are guaranteed in the Constitution.

The Destruction of Kashmir is a Deathblow to Democracy in India

Editors felt it necessary to highlight relevant portions of the recent CDRO press release on the Kashmir issue.

The abrogation of Article 370 of the Constitution of India and the cessation of the state of Jammu and Kashmir by the Jammu and Kashmir Reorganization Bill, 2019 orchestrated by the BJP government, has dealt a deathblow to democracy in India. The Constitution has been torn up by the government of India, and the concept of Federalism, one of the bedrocks of the Indian constitutional system has been thrown to the winds. By declaring the only Muslim-majority state in India to be non-existent, the Hindutva-inspired government has sent out a threatening message to all minorities in India. The entire "idea of India", created after independence as a constitutional state, abiding by laws and treaties, whatever be its shortcomings and multiple failures, is now on the verge of destruction.

Although for most Kashmiris, Article 370 was a symbolic term which had lost its actual meaning as the people of Kashmir were never protected from the depredations of the Indian state, the BJP government's action in abrogating Article 370 has effectively severed this bond rather than strengthening it, making India a de jure occupying power in Kashmir.

Associated with Article 370 was Article 35A, which allowed the state government of Kashmir to determine the permanent resident status of citizens, which determined that only permanent residents could buy land and get government employment. It was clarified during the debate on Article 370 in Parliament in 1963 that this rule was in effect from the times of princely rule in Kashmir and was not a new invention. Also, Article 35A is in operation in

11 other states in India, including Himachal Pradesh and the North-eastern states, where the demographics and economic condition of the local population is fragile, and can be threatened by the large scale influx of outsiders.

Also, by the introduction of the Jammu and Kashmir Reorganization Bill, 2019, the state of Jammu and Kashmir has essentially been destroyed and replaced by a Union Territory of Jammu and Kashmir with a legislature and an Union Territory of Ladakh without a legislature. This is a frontal attack on the democratic rights of the people of Jammu and Kashmir as their right to have an elected government has been essentially abolished. Moreover, this creates a precedent by which any state whose legislature has been dissolved can be converted to a Union Territory, or its federal nature violated otherwise, by the central government.

All this has been done in the backdrop of a massive scale up of the militarization of Kashmir, with 68000 more paramilitary personnel stationed there in addition to the 650,000 already present. The entire state has been shut down and communication with the rest of the world has been snapped off, political leaders of all parliamentary parties, including two ex-chief ministers have been arrested or put under preventive detention and. Essentially, the entire state has been cordoned off and an Emergency declared for the preparation of what seems to us like a blood bath of epic proportions.

(contune page : 16)

In Memory of



P.A.SEBASTIAN

Was one of the founders of CPDR as early as 1976 & was an activist lawyer and leading force in the democratic rights movement, in India during the last 3 DECADES. He had taken up cause of muslims affected during the Mumbai riot during 1992-1993 and was instrumental in bringing of cause in Krishna commission. He stood steadfast in solidarity with the Dalits against the state atrocities perpetrated against them. His memory was the guiding force for founding of CPDR-TN in Tamilnadu.



SUGUMARAN. M

Was a political activist an a trade Unionist, also led several trade Unions of unorganised sector, an contractual labour in steel yards, sanitation workers and Hotel workers. He also organised and led the struggles for Mill Workers and transport Employees at different instances, for better wages and livelihood. And was always insistent on organised labour rising the cause of un-organised class aswell. He was a spirit behind the foundation of CPDR-TN to contact the democrats across Tamilnadu. He was instrumental in all the initiatives of the organisation in the capacity as Joint Secretary, for fact finding missions in and out of Tamilnadu.



DHANAVENDRAN

Was an activist with rural background was, also the Vice President of CPDR-TN in its initial period in whose untimely demise CPDR-TN lost its activist from rural side who was always concerned on the farmlabour & farmers issues.