



**Unravelling the Aftermath:
An Analysis of Post-Revocation of Semi-Autonomous Status of
Indian Held Jammu and Kashmir**

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Abstract:

India consistently impeded the semi-autonomous status of Jammu and Kashmir (J&K) and weakened the provisions of Article 370 several times through a series of more than fifty presidential orders spanning well over a half-century. However, to ensure the complete annexation of disputed territory, the Government of India unilaterally abrogated the semiautonomous status of Jammu and Kashmir and divided the state into two union territories - Jammu & Kashmir and Ladakh on 5th August 2019. This robbed the Muslim-majority state of its identity and thrown it into a state of paralysis. Since June 19, 2018, Jammu and Kashmir has been functioning without an elected government. The Lieutenant Governor (LG) led administration of Jammu and Kashmir is actively changing the demography of Jammu and Kashmir by providing voting and property rights to the non-locals, who were temporarily working in Jammu and Kashmir. This qualitative study employed historical and descriptive method, mostly relying on the secondary data to highlight India's unconstitutional and undemocratic measures in Jammu and Kashmir after the revocation of semi-autonomous status. The study also analyzes the strategy of 'excessive militarism' that Indian armed forces have adopted to muzzle and crush the pro-resolution movement of the Kashmiri people.

Keywords: Jammu and Kashmir, Semi-autonomous Status, Demographic changes, Identity

INTRODUCTION

On 5th August 2019, the Modi-led Bhartiya Janta Party (BJP) Government of India unilaterally abrogated the semi-autonomous status of Jammu and Kashmir, dividing the Muslim-Majority state into two union territories of Jammu & Kashmir and Ladakh. The Modi government's primary objective was to ensure the full annexation of the disputed region, believing that such type of actions would lead to an end to the long-standing dispute in South Asia. Since then, the Hindu nationalist government has implemented several policies and strategies aimed at altering the demographics of the Muslim-majority state. These include changes to laws regarding land

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ownership and residency status to encourage non-Muslims to settle in Jammu and Kashmir ("Demographic and political engineering," 2022).

Moreover, the Indian Armed Forces (IAF) have been accused of engaging in massive human rights violations in Jammu and Kashmir for decades. However, there has been an unprecedented increase in human rights violations following the abrogation of the semi-autonomous status of Jammu and Kashmir. The people of Jammu and Kashmir have witnessed human rights violations in the form of illegal detentions, extrajudicial killings, torture, sexual violence, forced disappearances, vandalizing of property, restrictions on religious activities and communication blackouts (APDP & JKCCS, 2019).

LITERATURE REVIEW

This study reviews major writings and sources to provide deep insight into India's undemocratic and unconstitutional actions following the revocation of special status of Jammu and Kashmir. The literature reviewed includes scholarly journal articles, books, reports, websites etc. The Jammu and Kashmir Coalition of Civil Societies (JKCCS) highlighted human rights violations in its 2019 annual report, particularly those that occurred after the abrogation of article 370 and 35A. The report states that the year 2019 will be remembered as a landmark year in the history of Jammu and Kashmir as the Indian government revoked the laws related to special status on August 5, 2019. The Indian Government made this decision unilaterally, without consulting the people of Jammu and Kashmir. Before revoking the special status, the Indian government imprisoned all the political representatives of Jammu and Kashmir and deployed an additional one lakh troops in the state. A strict curfew was imposed, along with a communication blackout and mass arrests (APDP & JKCCS, 2019).

Amnesty International slammed India over its Kashmir move. Immediately after India revoked the special status of Jammu and Kashmir, the human rights group launched a global campaign called 'Let Kashmir Speak' and demanded the immediate lifting of the communication blockade in Jammu and Kashmir. The human rights group criticized India for revoking Jammu and Kashmir's special status without consulting the people, saying that the Indian government's unilateral decision was likely to inflame prevailing tensions and increase further human rights violations ("India: 'Let Kashmir speak' campaign," 2019). Tariq Rather in his article "Abrogation of Article 370 of the Constitution of India: Socio-Economic and Political Implications on Jammu and Kashmir" explores the legal nature and character of Article 370 within the Indian Constitution, as well as the true nature and meaning of autonomy of Jammu and Kashmir within the Indian Union. The author argues that the Indian government arbitrarily and unilaterally abrogated Article 370 after 74 years, without the consent of the Jammu and Kashmir Constituent Assembly. He also analyzes the social, economic and political implications of the abrogation of Article 370. He further highlights the exploitative nature of the Indian government, which was once upon a time a defender of democratic values and means (Rather, 2020).

Sumantra Bose, in her book *Kashmir: Roots of Conflict, Paths of Peace*, illustrates how the rivalry between India and Pakistan over Jammu and Kashmir is creating obstacles in restoring peace and stability in South Asia and other parts of the world, given that both states are nuclear powers.

The Kashmir problem emerged with the partition of the Indian sub-continent, and subsequent developments have added more deadly dimensions. In 1990, when the Kashmiri people launched

an armed struggle under the banner of the Jammu and Kashmir Liberation Front (JKLF), the nature of the conflict changed. Previously, it had been limited to Pakistan and India (interstate), but the Kashmiri people's freedom struggle added a deadly new dimension. Author also notes that India and Pakistan have fought three wars over Kashmir, in which the Kashmiri people have also played a role in their liberation. She explains that Kashmir is a complex region with a mix of regional, linguistic, ethnic and religious communities. She emphasizes that a viable framework for peace must take into consideration the aspirations of the Kashmiri people to self-rule, the conflicting loyalties within the state of J&K, and the sovereignty of the two South Asian nations. In pursuit of a political settlement of the Kashmir conflict, Bose presents a convincing comparison of Herzegovina, Bosnia and Northern Ireland (Bose, 2003).

Victoria Schofield, in her book *Kashmir in Conflict: India, Pakistan and the Unending War*, illustrates the historical background of the Kashmir conflict and its origins, from an independent valley to the days of the freedom struggle. The sale of the Muslim-majority province to Hindu Maharaja Gulab Singh by the British laid the foundation of the Kashmir issue. After that, Kashmiri Muslims began to struggle for an independent state from Britain in the Indian sub-continent, and the accession based on communal divide put the Kashmir issue at the forefront. Since then, both Pakistan and India have not been good neighbors. Kashmir's unique geographical and strategic location on the borders of South Asia, Central Asia and China, raise the stakes and interests of both states. Both states are also involved in other conflicts and have fought three wars over Kashmir since its inception (Schofield, 2003).

RESEARCH METHODOLOGY

The research used a qualitative methodology with historical and analytical approaches. Secondary data from national and international organizations, government reports, research studies, journals, articles, books, and newspapers were collected to elaborate and analyze the study. Thematic analysis method was used to understand, evaluate, and identify key patterns and insights relevant to the study.

REVOCATION OF THE SEMI AUTONOMOUS STATUS OF INDIAN HELD JAMMU AND KASHMIR

Jammu and Kashmir is a geopolitically and geostrategically important region. It is an ethnically diverse Himalayan region, covering about 86,000 square miles (222,738 sq. km), and is known for the beauty of its lakes, meadows and snow-capped mountains ("Kashmir special status explained," 2019). Before India and Pakistan got independence from British in August 1947, the area was hotly contested.

Background

At the time of partition, the principle of "communal majority" was adopted, whereby contiguous Muslim majority areas were apportioned to Pakistan while Hindu majority areas were apportioned to India. The partition plan did not apply to princely states, of which there were 565. The states enjoyed semi-autonomous status under the British rule and were legally and completely independent after partition. They were under no obligation to join India or Pakistan. The Viceroy of India, Lord Mountbatten, pressured all princely states to accede India or Pakistan but geographical location and communal interests were the factors that must be considered (Ahmed, 2000).

According to the principle of the Muslim majority, the princely state of Jammu and Kashmir, ruled by a Hindu Maharaja, should have Joined Pakistan. India could not directly occupy Jammu and Kashmir, so it adopted a different approach. India pressured the Hindu ruler to accede to India and used political pressure behind the scenes to make it appear that the people of Jammu and Kashmir wanted to join India of their own free will. Before the accession of Jammu and Kashmir had even taken place, the Jammu massacre occurred, in which thousands of Muslims were killed. The exact number of casualties is unknown but estimates range from 20,000 to 237,000, with nearly half a million people forced into flee across the border into Pakistan (Fareed, 2017). The Muslims were massacred by mobs and paramilitaries led by the army of Dogra ruler Hari Singh. This massacre angered Pakistani tribesmen, who crossed the border on October 22, 1947 to save their Muslim fellows in Jammu and Kashmir. To push back the Pakistani tribesmen, the Hindu asked India for assistance. In reply, the Indian government asked him to first accede to the Indian union, and India claims that the “instrument of accession” was signed on October 26, 1947. The next day, on October 27, India deployed troops in Jammu and Kashmir. However, there are serious doubts about the authenticity of the documents of the instrument of accession (Perrigo, 2019).

The instrument of accession was never accepted by the state of Pakistan or the people of Jammu and Kashmir. It was considered provisional and temporary. According to the instrument of accession, only defense, external affairs, and communication were handed over to India (Mohiuddin, 1997).

In 1949, Hari Singh appointed Sheikh Abdullah, the founder of the state political party National Conference, as Prime Minister of Jammu and Kashmir. Abdullah joined the Indian Constituent Assembly to negotiate a special status for the state. This is how Article 370 was introduced, granting Jammu and Kashmir special status within the Indian Constitution (Saleem & Yadav, 2021).

What is Article 370?

Article 370 of the Indian Constitution came into force in 1949. It granted the state of Jammu and Kashmir special status, including its flag, and the power to make its laws on matters such as permanent residency, property ownership, and fundamental rights. The state legislature also had the power to make its own laws on all matters except for foreign affairs, communication and defense (“Kashmir special status explained,” 2019).

What is Article 35A?

Article 35A of the Indian Constitution was introduced by a presidential order in 1954 to continue the old provisions of the territory regulations under Article 370. It empowered the Jammu and Kashmir State Legislature to define permanent residents of the state and provide special rights and privileges to them, including the right to own and settle permanently in the state, hold local government jobs, and win educational scholarships. . Article 35A also disqualified Kashmiri women from the property rights if they married someone outside Jammu and Kashmir, and these provisions also applied to their children. **India’s Realistic Approach towards Jammu and Kashmir**

Realism in international relations emphasizes the importance of power politics and the pursuit of national interests. India, like all other states, seeks to maximize its power. This is evident in its

policy towards Jammu and Kashmir, which has been marked by deception, betrayal, rigged elections, and the installation of puppet governments. India's primary goal is to suppress the pro-independence movement of the Kashmiri people. (Saleem & Yadav, 2021). India's principal goal is to suppress the pro-resolution or pro liberation movement of the Kashmiri people. Domestically, India has maintained its dominance in the region thorough the use of hard power tactics, including mass killings, torture, rapes, and forced disappearances, as well as political suppression and the repression of fundamental rights. Bilaterally, India has expressed its willingness to address outstanding issues with Pakistan, but it has avoided engaging in meaningful dialogue. At the international level, India has discredited the Kashmiri movement as terrorism and has sought to defame the indigenous movement of Kashmiri people (Hussain, 2009).

Moreover, Jammu and Kashmir has both geo-political and geo-strategic importance. The region is rich in natural resources, especially water. The Indus Basin rivers that flow through the disputed region are vital to India's agriculture which employs 60% of the country's workforce and contributes about 17% to its GDP ("Kashmir and the politics of water," 2011) That is why India wants to maintain its control over the region without the willingness of the Kashmiri people.

There is no doubt that India is exerting its dominance in the region through the use of hard power tactics. Indian armed forces have been given free rein to wreak havoc on the lives, honor, and property of helpless Kashmiris and to suppress their struggle for self-determination (Wani, 2013). India claims to be the largest democracy in the world and is signatory to international peacekeeping organizations, including UN. India is also a signatory to the ICCPR. Despite this, India is violating international laws, conventions, and treaties. India has not upheld the principles of legality and the right to liberty and security, including the right not to be subjected to arbitrary arrest or detention. India has also ignored international standards and principles related to the right to participate and the right to self-determination of people for their political future. In 2019, India unilaterally abrogated Articles-370 and 35-A in an attempt to annex the disputed territory, believing that this would end the long-standing international dispute (Office of the United Nations High Commissioner for Human Rights (OHCHR), 2018). Furthermore, the Bharatiya Janata Party abrogated the semi-autonomous status of Jammu and Kashmir to establish an exclusive Hindu settlement in the region. Since the revocation of semi-autonomous status, India has been actively engaged in the demographic transformation of the state from Muslim majority to Hindu majority. India has changed laws related to land ownership and residency status to encourage non-locals, especially Hindus, to settle permanently in the region.

Abrogation of Article 370 and 35A under the Shadow of Armed Forces

After the massive deployment of armed forces in Jammu and Kashmir on August 5, 2019, the Indian government imposed a curfew and placed the entire region under a military and communications clampdown. On the same day, the BJP government introduced a bill in the Indian parliament to abrogate Articles 370 and 35A of the Indian Constitution. The Modi-led BJP government's revocation of the special status of J&K is inconsistent with earlier rulings of the Indian Supreme Court, which declared that the articles related to special status of Jammu and Kashmir could not be abrogated without the approval of the legislative assembly of Jammu and Kashmir. The Indian government's unilateral decision of abrogation of Articles 370 and 35A violates international standards and principles related right to the right to participate and the right to self-determination

of people for their political future, which India is obliged to follow as a signatory to the ICCPR (APDP & JKCCS, 2019).

After the revocation of J&K's special status, the Indian parliament passed the Jammu and Kashmir Reorganization Act 2019, which divided the disputed territory into two union territories: Jammu & Kashmir, and Ladakh. The Indian government's decision to abrogate Articles 370 and 35-A was motivated by its desire to annex the disputed territory completely, believing that such developments would lead to an end to the long-standing dispute in South Asia ("President declares abrogation," 2019).

The BJP government's unilateral decision to revoke Jammu and Kashmir's special status created an atmosphere of tension and mass panic. Before the revocation, the Indian government deployed a large number of additional armed forces, closed schools, colleges, and universities, and asked tourists and pilgrims to leave the state, adding to the tension and pain of the people of Jammu and Kashmir (Migrator, 2019).

Abrogation of Special Status is Violation of Democratic Ethos

On August 5, 2019, The Government of India revoked the special status of J&K through a presidential order. This move was widely condemned as undemocratic and unconstitutional. It violated international standards and principles, including the right to participate and the right to self-determination. India is obliged to follow these principles as a signatory to the International Covenant on Civil and Political Rights (ICCPR). The revocation of Article 370 and 35A was also inconsistent with earlier rulings of the Indian Supreme Court, which had declared that these articles could not be abrogated without the approval of Jammu and Kashmir Legislative Assembly. The state assembly had been dissolved 13 months before the revocation, and the entire region of Jammu and Kashmir was under military and communication lockdown. Thousands of people, including political and religious leaders, were detained (Saleem & Yadav, 2021). Instead of adhering to its promise to carry out a free and fair plebiscite, India has consistently eroded the special provisions of Jammu and Kashmir through a series of more than fifty presidential orders over the past half-century. Before the revocation of these provisions, 94 of the 97 subjects of the Indian Constitution had already been extended to the disputed territory, and more than 260 Indian constitutional articles were applicable in Jammu and Kashmir.

Moreover, the BJP has advocated for the revocation of J&K's special status since its inception. This was one of its key promises in the 2019 general election manifesto. The BJP's victory in that election allowed it to fulfill this promise.

Why India abolished Semi-Autonomous Status of J&K

There were many objectives behind the revocation of the special status of J&K by the Modi government. One objective was to ensure the full annexation of the disputed territory. The government believed that this would lead to an end to the long-standing dispute. Another objective was to establish an exclusive Hindu settlement in the region. The BJP wanted to transform the state from a Muslim majority to a Hindu majority. Finally, the government wanted to change the laws related to land ownership and residency status to encourage non-locals, especially Hindus, to settle permanently in the region (Tamim, 2017).

Arrest Spree after 5th August

In the leadup to and following the revocation of the special status of Jammu and Kashmir, thousands of people were detained, including All Parties Hurriyat (APHC) leaders, civil society members, lawyers, pro-Indian politicians, and members of the general public. The number of detainees was so high that jails and custody centers were full. As a result, the Indian authorities turned hotels, guest houses, and tourist reception centers in J&K into detention centers. Even politicians were not spared. Three former chief ministers of Jammu and Kashmir—Farooq Abdullah, Omar Abdullah, and Mehbooba Mufti—were detained.

Moreover, many people were required to report to and remain in different police stations from morning to night on daily.

Deployment of Additional Forces

Jammu and Kashmir is the most densely militarized region in the world. Even before the abrogation of Article 370 and 35A, more than 700,000 Indian armed forces were present in the region. However, in the lead-up to and following the revocation, additional forces were deployed.

On February 23, 2019, 100 additional companies of Indian armed forces were deployed in the region, including 45 CRPF companies, 35 BSF companies, 10 SSB companies, and 10 ITBP companies (Migrator, 2019). Armed forces are present in every nook and corner of J&K. The Indian armed forces illegally occupy 21,000 hectares of land in the region, while another 18,846 hectares are under authorized occupation. In Srinagar city alone, the armed forces have covered 23 sq. km or 8% of the capital city's existing land area. A week before the revocation of the special status of J&K, the Indian Home Ministry sanctioned 100 companies of central armed police forces for the region. Media reports later revealed that more than 100 companies were deployed. According to the Indian Express, 453 companies of armed police forces were deployed by August 5, 2019, and the total number of companies reached 653 after that date. Most of these forces were kept in educational institutions. On November 24, 2019, Special Forces from the Indian army, air force, and navy were deployed in Jammu and Kashmir ("In Kashmir, CAPF deployment," 2019).

Following August 5, 2019, there have also been reports of forced labor in Jammu and Kashmir. Large number of forces deployed on roads, streets and alleys have been constructing new camps, and Kashmiri people have been forced to work at these camps.

Restrictions on Prayers at Large Mosques

After the revocation of special status, many mosques in Jammu and Kashmir remained closed, including the historic Jamia Masjid, which was shut down for 19 consecutive weeks. (Dharma & Younis, 2019). A week after the revocation, strict curfews continued on Eid-ul-Fitr, and Indian authorities restricted people from gathering in large numbers and offering Eid prayers in large mosques. The historic Jamia Masjid and Hazaratbal Mosques were also closed on Eid-ul-Fitr. People were also prohibited from celebrating religious duties at shrines in Srinagar (Siddiqui, & Bukhari, 2019).

Before the abrogation of special status and the additional deployment of armed forces, Indian government officials asked senior police officials to provide details of mosques. The officials were supposed to collect information such as the name of the mosque, its location, the name of the

Imam, its ideological affiliation, and details of the mosque's management body. In various places in J&K, Imams were summoned to army camps and asked to record their sermons and refrain from speaking about Article 370. Several Imams were also booked under the Public Safety Act (PSA). The same year, armed forces reportedly used pellet guns, tear gas, and pepper spray against Muharram Procession participants in Srinagar, injuring dozens of people, especially young people (Hussain, I., & Naik, 2022-b).

Demographic Changes

The revocation of special citizenship rights in Jammu and Kashmir was aimed at reversing the Muslim majority character of the state. After the revocation of special status and the bifurcation of the state into two union territories, the Modi-led BJP government began to alter the demographics of the Muslim-majority state. The special provisions related to property ownership and residency status were changed to encourage outsiders, especially Hindus, to settle in Jammu and Kashmir ("Demographic and Political Engineering," 2022). According to the new domicile law, any non-local who has served as a government officer or worked for 10 years in the public sector, including banks and universities, or has lived in region for 15 years or has studied for seven years in any educational institute of Kashmir and has passed 10th or 12th examination, is eligible for domicile in the state of Jammu and Kashmir along with his children. According to the Jammu and Kashmir government, 4.2 million domicile certificates have been issued to non-locals (Maqbool, 2020). A majority of the top bureaucrats serving in Jammu and Kashmir are non-locals. A huge number of people are working there in different central government institutions, such as universities, banks, telecommunication companies, post offices, and security institutions. The BJP has pledged to provide land at a discounted rate for the establishment of colonies in J&K for retired soldiers ("Army proposes housing colony," 2023).

For the first time, non-local workers and Indian armed forces personnel present in Jammu and Kashmir will be allowed to cast their votes in the upcoming legislative elections. These changes are seen by many as a threat to Kashmiri identity.

Land Grab

One of the objectives behind the scrapping of semi-autonomous status was land acquisition. India has amended and enacted several laws to allow non-locals to buy land in the disputed territory to dilute the Muslim majority character of the state. The new laws also allow that the land acquired by the government for industrial or commercial purposes sold to any Indian national and the armed forces can appropriate any land for strategic, operational, and training purposes. The revocation of land laws of the state and the introduction of new laws is a violation of the rights of the people of Jammu and Kashmir ("Explained: Who all can," 2020).

Establishment of Sainik Colonies

Before the revocation of Article 370, which granted semi-autonomous status to J&K, there were protests in the valley against the establishment of Sainik colonies. Political parties and civil society groups demanded that the administration not to go ahead with the plan. However, after the introduction of new domicile laws and allegations of land grabbing, the Indian government is now preparing to establish Sainik colonies to settle retired armed forces personnel and their families in

Jammu and Kashmir. A few colonies have already been established in the Jammu division, where retired armed forces personnel and their families are living (Mir, 2021). In 2020, the Jammu and Kashmir administration identified 25 acres of land in Budgam district for the establishment of the first Sainik colony in the valley. The higher officials have directed the district and tehsil-level revenue departments to coordinate with the Sainik welfare departments. Sainik welfare departments have been established in 15 districts of Jammu and Kashmir. They operate under the Indian Defense Ministry and promote and take necessary measures for the welfare and resettlement of retired and in-service armed forces personnel (Javaid, 2020).

Ban on Pro-Resistance Political Parties

Before the revocation of the semi-autonomous status of J&K, the government of India banned the two largest political parties in the region and curtailed the right to freedom of association and assembly. On February 28, 2019, the socio-religious and political organization Jamaat-e-Islami was banned for five years. The organization runs numerous schools, mosques, orphanages, and other social and religious institutes, and was actively involved in the resistance movement in Jammu and Kashmir. A few days before the ban, Indian authorities arrested more than 400 members of Jamaat-e-Islami in night raids (Fareed, 2019).

Another party that was banned for five years is the Jammu and Kashmir Liberation Front (JKLF), a pro-freedom political party led by Yassin Malik, who gave up arms in 1995 and started non-violent struggle. The Indian government also ordered the closure of more than 300 schools in J&K, depriving thousands of students of an education from these purely educational institutes. The schools were run by Jamaat-e-Islami under the banner of the Falah-e-Aam Trust (FAT). The schools followed the syllabus of the state board of school education, with only two subjects i.e. Quran and Islamic studies. These institutes were a lifeline for thousands of orphaned children, who were receiving free education (Hussain, & Naik, 2022-a).

The Indian authorities' allegations Jamaat-e-Islami were unsubstantiated and unjustified. The unconstitutional and undemocratic order violated the fundamental right to education. The order has deprived not only thousands of students of education but also thousands of teachers of their livelihood.

Frequent Use of Repressive Laws

Indian armed forces continue to operate under a host of repressive laws in Jammu and Kashmir after the revocation of Articles 370 and 35A. These laws, including the Armed Forces Special Powers Act (AFSPA), Public Safety Act (PSA), and National Security Act (NSA), grant the armed forces complete impunity for their actions, even if they commit brutal crimes. ("India: The government must end," 2022).

Armed Forces Special Powers Act (AFSPA)

It was passed in September 1990 and grants vast powers to Indian occupational forces in J&K. Section 7 of AFSPA (1990) prohibits any kind of prosecution of Indian forces unless the Indian government grants permission to prosecute. It provides Indian occupational forces with impunity against prosecution for violation of human rights. Since the implementation of AFSPA, the Indian government has not granted permission to prosecute any armed personnel. Section 4 of the same

law allows Indian armed forces to use lethal force and prohibits the assembly of five or more persons. This provision of AFSPA breach various international standards and UN basic principles on the use of force. Due to the legal restrictions imposed by section 7 of AFSPA 1990, cases related to excessive use of force have never been independently investigated (“India: Repression persists,” 2022).

AFSPA also authorizes non-commissioned officer to enter a house, search it, and arrest anyone without issuing an arrest warrant. They can even shoot anyone on mere suspicion. No penal action can be initiated against Indian security forces without the sanction of the Union Government of India (Radhakrishnan, 2019).

Public Safety Act (PSA)

In 1978, the Public Safety Act (PSA, 1978) was introduced to deal with timber smugglers. However, this law is used to suppress dissent and counter political opposition in J&K. It has been used to target freedom fighters, journalists, human rights activists, civil society actors, and political leaders who are struggling for the right to self-determination. The PSA does not provide for judicial review of detention (OHCHR, 2018).

This tactic has been used to detain people for several weeks, months, and even years without a warrant. PSA authorizes the authorities to detain people without charge or trial for up to two years. This law also gives the authorities sweeping powers and provides detainees with limited opportunities to contest the legality of their detention.

National Security Act (NSA)

Since August 5, 2019, Indian authorities have detained people in Jammu and Kashmir under the National Security Act (NSA). Under this Act, a person can be detained for up to one year to prevent them from acting in a manner prejudicial to state security, the maintenance of public order, or foreign relations. However, Indian authorities have used this act to silence people in Jammu and Kashmir who are struggling for the right of self-determination (Khanwalkar, 2023).

CONCLUSION

India abrogated the semi-autonomous status of Jammu and Kashmir in 2019. Since then, the Hindu nationalist government has implemented policies and strategies that have had the effect of altering the demography of the Muslim-majority region. These policies include changes in laws regarding land ownership and residency status to encourage non-Muslims to settle in Jammu and Kashmir. The identity of the Muslim-majority state has been challenged, and the people of Jammu and Kashmir are uncertain about their future. The Modi government is establishing settlements in the region that could lead to a change in the region's demographics. Some people fear that India is following the model of Israel's occupation of Palestine. Others are concerned that the abrogation of semi-autonomous status is a violation of international standards and principles of the right to participate and the right to self-determination of people for their political future. The Indian government's move is controversial and could hurt peace in the region and the implementation of the UNSC resolutions.

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