



KASHMIR VALLEY IN CONFLICT

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Abstract:

The Kashmir Valley has long been a region marked by complex sociopolitical tensions, geopolitical rivalries, and conflicting aspirations. This paper delves into the multifaceted dimensions of the conflict in the Kashmir Valley, examining its historical roots, evolving dynamics, and the impact on the lives of the local population. Through a comprehensive analysis of historical records, scholarly research, and firsthand accounts, this study aims to provide a nuanced understanding of the conflict's origins, complexities, and potential paths towards resolution.

The Kashmir conflict is deeply intertwined with the historical context of the region's accession to India and the subsequent creation of Pakistan in 1947. The paper explores the contested narratives surrounding this period and how they have contributed to the ongoing tensions between India, Pakistan, and the local population. The study also examines the role of the Line of Control (LoC) as a physical and symbolic divide that continues to shape the conflict's contours.

Over the years, the Kashmir Valley has witnessed cycles of violence, protests, and political unrest. The study analyzes the various phases of conflict, including armed

insurgencies, counterinsurgency operations, and civilian uprisings. It investigates the grievances of the local population, ranging from issues of autonomy and self-determination to concerns about human rights violations and militarization.

The paper also delves into the role of international actors and organizations in the Kashmir conflict. It explores how global perceptions and diplomatic interventions have influenced the conflict's trajectory and potential resolutions. Additionally, the study examines the media's role in shaping both domestic and international perceptions of the conflict, and how media narratives have contributed to the polarization of opinions.

Through a human-centric lens, the study sheds light on the lived experiences of the people in the Kashmir Valley. It highlights the challenges faced by civilians caught in the crossfire, the impact of conflict on daily life, and the efforts of local communities to cope and resist. The study also examines the potential avenues for conflict resolution, including dialogues, negotiations, and confidence-building measures.

In conclusion, the Kashmir Valley's conflict is a multifaceted issue with historical, geopolitical, and human dimensions. This study contributes to a comprehensive understanding of the factors that have fueled and sustained the conflict, as well as the potential pathways towards a more stable and just resolution. By examining the intricate interplay of history, politics, and human experiences, the study underscores the urgency of addressing the challenges facing the Kashmir Valley

Introduction

The British sold the valley of Kashmir to the Hindu Dogra ruler, Gulab Singh, in 1846 with the Treaty of Amritser (in thanks for his assistance with the British Afghan expedition and protecting British interests in the Punjab), adding to his prior possessions of Jammu, Ladakh, Baltistan, and numerous hill states. His great grandson, Maharaja Hari Singh, could not decide whether to join India or Pakistan upon

Independence in 1947, so the State remained “independent” for over two months. Under attack from the Pakistan side, Maharaja Hari Singh agreed to join India in exchange for military aid. Kashmir’s accession to India was contested by Pakistan. This accession was to be provisional, contingent upon popular approval.

Literature Review

However, no plebiscite was conducted. Pakistan soon went to war with India over Kashmir. The war was halted in 1949 with a UN (United Nations) supervised ceasefire and the establishment of a 500-mile ceasefire line patrolled by the UN Military Observer Group in India and Pakistan (UNMOGIP), although small-scale attacks continued. Hostilities recurred in 1965, but the ceasefire line remained. It was renamed “Line of Control” (LOC) with the 1972 Shimla Agreement between India and Pakistan.

Chini 1962. The “Line of Actual Control” (LOAC) between India and China has never been clearly demarcated (Srivastava, 2001:80). Prem Nath Bazaz, a Kashmiri writer and political activist in 1967, wrote, “It fortuitous circumstances a tiny nation of Kashmir’s has been placed in a position of great importance, where it can be instrumental in making or marring the future of so many”

The politics of Kashmir identity was transmitted into ethnic nationalism, associated with a distinct Islamic tinge and a transfer from India to Pakistan loyalty. The ruling elite of Pakistan, unreconciled with idea of the loss of Kashmir, readily responded to this historic opportunity. Kashmir conflict became one of the worst tragedies of international politics, degenerated into a pawn in Indo-Pak (India-Pakistan) rivalry. The unfortunate victim of this process has been the people of Kashmir. The greatest hindrance to growth and cooperation in South Asia has been the sixty-year-old Kashmir conflict between India and Pakistan.

The roots of the conflict or crisis extend to the catastrophic partition of the two countries in 1947, when the British government left the region after a 250 year period of rule characterized by exploitation and divide and conquer tactics. The British emperor’s divisive policies, which we reamed at creating a rift between Hindu and Muslims in order to dilute any potential cohesive opposing force, began in a large scale in the early 1900s, when it started to fear the perceived growing strength of the Hindu nationalist movement.

In order to counterbalance this perceived threat, the colonialist British government began to actively support the Muslim League, a political entity spear headed by Mohammad Ali Jinnah that aimed to represent the sub-continent’s Muslim interests.

The British pitted these two groups against one another, and eventually the Muslim League was forced to demand the creation of separate state, to be called “Pakistan”, because it felt its interests would not be represented in a Hindu-majority India after the British granted the sub-continent its independence (Sankaran & Ramit, 2003:2). Mohandas Gandhi, the political leader of the independence movement, was in favor of the creation of India and eventually used his power to ensure its existence. Consequently, as its parting legacy, the British Empire, under the supervision of Lord Mountbatten, created artificial geographical boundaries separating the newly created Hindu majority India and Muslim majority Pakistan. The creation of these new states created a tremendous amount of violent upheaval, dubbed the bloody partition. In this massive movement of people and capital (Hindus and Sikhs mainly to India, Muslims primarily to Pakistan), hundreds and thousands of people were killed and the land dispute of Kashmir was formed.

It can be said about the princely States, that the wishes of the rulers of all the princely States that made up India and Pakistan were taken into account. Kashmir was an oddity, a predominantly Muslim State with a Hindu Raja (ruler) Hari Singh. Hari Singh acceded to India, and Pakistan claimed that was against the wishes of people. The dispute then turned towards the military, with India sending in its army to repulse what they called “Pakistani invaders” in the Kashmir valley (Srivastava, 2001:80).

As indicated, both India and Pakistan immediately attempted to fill the power vacuum that resulted after the British left the border area of Kashmir and fought a war in 1947-1948, which resulted in the partitioning of Kashmir into an Indian-controlled territory and a Pakistani controlled territory after the United Nations movement has been waged counter to the Indian government with support from elements both indigenous and foreign (primarily Pakistani) to Kashmir. This movement aims to wrest Kashmir from the Indian government and is driven by the strong desire for autonomy by native Kashmiris and the strong sentiment of the majority of the Pakistani population, which believes that Kashmir was given to India under the unfair terms (Srivastava, 2001:80).

Currently, Kashmir is composed of Indian-controlled Jammu and Kashmir (45%) and Pakistani –controlled Azad Kashmir (35%), with remaining (20%) controlled by China. Often Kashmir conflict is described as “the unfinished business of partition”. The State of Jammu and Kashmir has been the focus of a dispute among India, Pakistan, and Kashmir itself since 1947.

The root cause of the conflict is, again, the question of sovereignty and the possibility of self-determination by Kashmiris of whether to remain India, join Pakistan, or form

an independent state. The conflict of Jammu and Kashmir thus represents the confluence of religious (Muslim) nationalism, secular nationalism (as represented by India), and ethnic nationalism (embodied) in Kashmir at a vague terms for the confluence of Islamic, Hindu, and uniquely Kashmiri cultural strains in the region. Kashmir is a Muslim-majority state contiguous to Pakistan. Yet its Hindu head of the state choose to join India instead to Pakistan.

India's control of Kashmir has since sparked legal challenges in the United Nations and two wars between India and Pakistan. Still ethnic nationalism remained relatively low-key in Kashmir until national government combined to promote and facilitate ethno-religious sentiments and insurgency. Since 1989, Jammu and Kashmir, especially the northern valley of Kashmir has been locked in a militancy-repression cycle, with pro-Pakistan and pro-secession Muslims militants combating Indian security forces.

For the two countries, the conflict over Kashmir is less contests over strategic ground are resources as over competing visions of nationalism and state building. For India, Kashmir is a symbolic of secular nationalism. For Pakistan, Kashmir represents instead the failure of secular nationalism and the imperative of a Muslim homeland in the sub-continent, as well as the "incompleteness" of Pakistan. In 1947, Jammu and Kashmir was among the largest 562 so-called princely states in the Indian sub-continent.

These were nominally self-governing units, ranging in size from tiny principalities to sprawling fiefs, ruled by Hindu, Muslim, and Sikh feudal potentates with pretensions to royal states. Collectively, the princely states covered 45 percent of the land mass of the sub-continent. These vassal states constituted a major pillar of the British concept of indirect rule in India. Their rulers a colorful assortment of Maharaja and Nawabs were permitted to administer their holdings as personal and dynastic fiefdoms in exchange for acknowledging the "paramount" of British power, while British directly controlled and administered the rest of the sub-continent (Kohli, 1997).

Typically, British overseers known as "Residents" were stationed in the capitals of the larger princely states, but by and large, the India 1947. Under the colonial regime, these states were autonomous in all but defence, foreign affairs, and communications so long as they recognized the "paramountcy" of the British crown. In 1947, each state was to join India or Pakistan per its geography and predominant religion. Independence was not an option for the princely states. The fate of three states—Junagarh, Hyderabad, and Jammu and Kashmir (the largest princely state) created complex territorial problems at independence. India's occupation of the first two states was broadly accepted but sovereignty over third is still disputed among India, Pakistan, and

Kashmiris. Sir Owen Dixon, the UNR representative for India and Pakistan, noted that the Kashmir conflict was so intransigent because Kashmir was “not really a unit geographically, demographically or economically” so much as “an agglomeration of territories brought under the political power of one Maharaja” (cited by Kohli, 1997). The conflict remains intractable both because India and Pakistan equally unyielding in their claims; and because Kashmir is themselves are so divided in their aims and loyalties.

The Kashmir conflict represents a self-determination (and more recently, secessionist) movement for Kashmiris, an irredentist movement for Pakistan and Pakistan-controlled Kashmir, and a civil insurgency for India. Although the majority of Kashmiris were Muslims, the Sate had a Hindu ruler since the British gave Maharaja Gulab Singh domain over Kashmir in 1846. Overtime Kashmir Brahmins (Pandits) and Dogras came to control most of the best agricultural lands, while Muslims, lacking wealth or influence, worked the land.

The freedom movement in Kashmir may be seen in the context of social, political, economic, educational, and cultural situation which prevailed in late 19th and early 20th centuries. The appalling conditions of the local people, who were mostly Muslims, compelled them to rise in revolt against the feudal rule of Maharaja. They did it through several uprisings in the early 20th century. This also reflected in raising their voice for political, economic, cultural, and religious rights; and against the feudal monarchy.

However, the first and organized movement of the Kashmiris started in 1931 under the leadership of Sheikh Mohammad Abdullah and his colleagues under the banner of Jammu and Kashmir Muslim Conference. This movement had no connection, political or organizational, with Indian National Congress which was spearheading the freedom movement in India. At its initial stage, the movement leaders in Jammu and Kashmir talked in terms of political, economic, and other rights of the local people which were denied to them by alien rulers. However, the movement concentrated on the demand of stopping the discrimination of the Kashmiri Muslims in their recruitment to the offices in the state (Ganguly,2003).

When the movement under Jammu and Kashmir Muslim Conference progressed and came in contact with many other political groups and parties in the Indian sub-continent, it started changing its political perspective; it was changed in to Jammu and Kashmir National Conference in 1938. This change reflected the widespread impact of the dominant political forces of that time on the political leaders in Kashmir. This view is supported by the adoption of Naya Kashmir Programmed which was considered

highly revolutionary programmed, whose architects were the leftist leaders inside and outside the Kashmir. These, spear headed by the Jammu and Kashmir National Conference to end the feudal rule of Maharaja in Jammu and Kashmir.

The Kashmir problem was created by the partition of the Indian sub-continent in 1947 when India and Pakistan were created as two separate and independent states. At that time, the State of Jammu and Kashmir, which was ruled by Maharaja Hari Singh, could not accede to India or Pakistan voluntarily. However, in the complex political situation at that time, the Maharaja Hari Singh had to accede to India temporarily on the promise (on the part of Indian political leaders) of giving the right of self-determination to the people of Kashmir to decide their political future. It was on this promise that Sheikh Mohammad Abdullah, the leader of Jammu and Kashmir National Conference at that time, supported the temporary accession of Kashmir to India and took over the emergency government in Jammu and Kashmir in 1947. Subsequently, India took this problem to the United Nations where it still stands on its agenda. Though the UN carried out several political and diplomatic efforts for resolving the Kashmir problem, it did not succeed (Schofield,2004:15).

Thus, the political future of Jammu and Kashmir State remained undecided. It is primarily in that context that the people in Jammu and Kashmir demand the right of self-determination which was promised to them by India, Pakistan, and UN (United Nations). They upheld the view that this problem has three basic parties, which are India, Pakistan, and the Kashmiri people. This problem can never be solved if any of the parties is kept aloof or remains absent. Muslims began agitating against the Maharaja Hari Singh in the early 1930s because of his insensitively and heavy taxes. Opposition to the Maharaja Hari Singh, then, coalesced under the charismatic young Kashmiri Muslim, Sheikh Mohammad Abdullah. In 1932, Sheikh Mohammad Abdullah formed the All Jammu and Kashmir Muslim Conference. Under the influence of Jawaharlal Nehru, a Kashmiri pundit, the party changed its name in 1939 to the All Jammu and Kashmir National Conference and sought to collaborate with Kashmiri Hindus.

Sheikh Mohammad Abdullah is regarded as the “lion of Kashmir”. He was a great leader in the history of Kashmir, who led a movement against oppression, injustices, and discriminations over Kashmiri people. He was a secular leader in the history of Kashmir, who sacrificed his entire life for the cause of Kashmiri people. He was given imprisonment by the Indian government several times. He had preferred India to Pakistan because of his secular ideas. There is no doubt in saying that he was the leader of the people of Kashmir. If tomorrow Sheikh Mohammad Abdullah wanted Kashmir to join Pakistan, neither we nor all the forces of India

would be able to stop it because if the leader decides it will happen.

In his Aatish-e-Chinar (flames or fire of plane tree), the Sheikh Mohammad Abdullah recalled that during the talks, Pandit Jawaharlal Nehru exclaimed, “Sheikh Sahib if you do not stand with us shoulder to shoulder, we shall cast a chain of gold around your neck”. The Sheikh Mohammad Abdullah looked at him and said smilingly, “but don’t do that ever because you will thereby have to wash your hands of Kashmir”. The pact that was signed between the architects of the Indian Foreign Policy, Pandit Jawaharlal Nehru, versus lion of Kashmir, Sheikh Mohammad Abdullah, was this Persian couplet Mantu shudi tu Man shudam, it means “you have become me and I have become you” (cited in Habibullah, 2008).

It was the agreement of greater autonomy and special status journalist, wrote: “Kashmir has always been special. It came to Indian in 1947 in special circumstances and with special protection of its autonomy, something that Indian political parties often forget” (cited in Habibullah, 2008:82).

FRAUDELECTION OF 1987

Though, Farooq Abdullah inherited the political leadership from his father, he won the election in 1984 on his own by upholding and defending the distinctive identity of the people of Kashmir within the broader whole of India. But, when he deviated from representing the distinctive character of Kashmir, due to internal and external pressures, he lost his legitimacy and popular support among his people. As a result, he had to take support from the INC (Indian National Congress), which further alienated him from the masses. It was in that context that his party, i.e. JKNC (Jammu and Kashmir National Conference), with the open support of Delhi Darbar, rigged the elections in 1987 in Jammu and Kashmir beyond the understandable proportions.

It is said that when a Muslim United Front (MUF), which fought those elections against the JKNC and INC combine, candidate won after the counting, the name of the JKNC candidate was announced as the winner. After the elections were over, anybody who criticized these illegal practices was beaten, tortured, or arrested. Thus, what happened in and after the shameful elections in 1987 provided the political base for the emergence of militancy in Kashmir.

In actuality, the Jammu and Kashmir Government, just after the elections were over, started arresting the election candidates, polling agents, and counting agents of the MUF. So, all those who were After sometime, most of them went to Pakistani Kashmir, got the arms training and came back to the Indian Kashmir to

start the struggle against India in Kashmir. Those who fought or were involved in 1987 elections and were made defeated and terrorized by the State Government, included Syed Sllahuddin (the Commander-in-Chief Hizbul Mujahideen), Aijaz Dar, Mohammad Yasin Malik, Ashfaq Wani, and all other JKLF (Jammu and Kashmir Liberation Front) founders in Indian Kashmir. It follows that when the government of India, in collaboration with the State government, did not allow the Kashmir youth to emerge as a political force through democratic means; they were compelled to start a militant struggle (Ranabir,2005:93-113).

About the Autonomy. The Autonomy debate in India is historically linked to Jammu and Kashmir State. This issue has been a perennial theme in the constitutional relations between the Union and the State. The autonomy issue resurfaced recently, sparking off a national debate, when the Jammu and Kashmir State Assembly passed a resolution urging upon the central as well as State Government to restore the autonomy of the state, which the ruling National Conference partly claimed to have been eroded over the years by the ruling dispensations at the center.

The Autonomy resolution was, in fact, a sequel to the report of a committee constituted by the State Government when it was returned to power in the year 1996. The committee was constituted in pursuance of National Conference Party manifesto and was entrusted with the task of identifying the areas in which the autonomy of the State was eroded. The fact remains that restoration of autonomy in Jammu and Kashmir has been a perpetual demand reflected through the manifestos of the Nation, Since 1951 as a logical follow up of the Indira Gandhi – Sheikh Mohammad Abdullah Accord in 1975. It may be mentioned that tracing the history of tension between the Union of India and the State of Jammu and Kashmir, the illustrious leader of Jammu and Kashmir, Sheikh Mohammad Abdullah, wrote in his autobiography, *Aatish-i-Chinar* (flame or fire of Chinar tree), that there was no question of challenging the State's decision with the Union of India. However, the tension was confined to the quantum of constitutional relationship between the Union and the State. This issue was raised during the negotiations to bring back the Sheikh Mohammad Abdullah and National Conference Party into national mainstream, which culminated in Indira Gandhi–Sheikh Mohammad Abdullah Accord, but its resolution remained illusive (cited in Habibullah,2008).

In fact, the political dispensation at the Centre which diluted the autonomy of Jammu and Kashmir wanted to achieve the twin objectives of gradual withdrawal of state's autonomy under the perception of strengthening the process of nation building in the country and extending the influence of their own political party parties in the state. The State Autonomy Committee Report was thoroughly debated

in the State Legislative Assembly, which culminated in the adoption of a resolution urging upon the Union and the State Government to take the measures to restore the autonomy of the state. Jammu and Kashmir State should be treated separately from the other states of Union (Punjabi, 2000:6).

The salient features of the recommendations of State Autonomy Committee Report may be summarized as: Firstly, Article 370 of the Constitution of India, which grants a special status to Jammu And Kashmir State, should be declared as “special” in place of “temporary” as mentioned in the Constitution of India. Secondly, rescinding various articles of Indian Constitution applied to Jammu and Kashmir State from 1954 onwards. Thirdly, bringing about changes in the Jammu and Kashmir State Constitution to give control, direction, and superintendence of elections to the state legislature and to the state High Court. Fourthly, bringing about changes in the Jammu and Kashmir State Constitution restoring back the nomenclature of the Head of the State and State Executive, mode of the state, repealing the other consequential amendments, and the original provisions of the constitution of Jammu and Kashmir must be restored.

The demand for Autonomy has paid off well, politically speaking, for National Conference in Kashmir in the past and helped them in keeping the pro-India constituency alive in Kashmir, subject to all kinds of propaganda from the Pakistani side over the years. It paid off well for Farooq Abdullah in the September 1996 elections too, immediately after his success in the elections. Farooq Abdullah seemed serious to take the issue of autonomy with the Centre and set the autonomy ball rolling in order to fulfill his electoral commitment. But its truth that always autonomy agenda was discussed and its irony that this principle of autonomy was also diluted and minimized this thing caused more alienation among the people of Kashmir. Both the governments failed be it the central government of India, or be it the state government of Kashmir in safeguarding this autonomy slogan. Quoting Prof. Hobs bawn, he said that self-determination and secessionism has no relevance in 21st century. He believes that greater autonomy is the only mechanism to end the in M. Shafi, Prof. R.R. Sharma, Prof. Riyaz Punjabi, Dr. Austosh Kumar, Prof. Balbir Arora, and Prof. Noor Mohammad Baba also supported this view point.

Prof. Austosh Kumar, for example, said that Centre has been playing a much more dominating role. The idea of genuine autonomy being granted to the states has not been given a proper chance nor has its potential has been appreciated in providing solutions to the regional problems. It is in the context of the ongoing movements for autonomy or secession in these states as

well as shortcoming revealed over the years in the working of the constitution that the core issues of Indian federal democracy need a critical rethinking (AhmadWani,2012).

Wajahat Habibullah (2008), a great writer and good public civil servant, writes: “India must adhere to its constitution and the Kashmiris should be allowed to enjoy the freedom that is guaranteed to them by that constitution”. He further said in his realistic remarks, “Until each citizen can live free from fear, democracy can only be notional, no matter how elections are conducted or who participates”. Does such a situation exist now? He is not without hope.

I believe, based on my experience working in the State and with its people that a remedy for the Kashmir situation need not be elusive, if all stakeholders are sincere in their endeavor to restore peace and respect for the dignity of Kashmiri people, is at the core of any resolution. Ignoring the self-respect of Kashmiris believing that they as a people could be bought brought on and fuelled the cycle of ruin (Habibullah, 2008:262-263).

Conclusion.

The Kashmir Valley's conflict is a multifaceted issue with historical, geopolitical, and human dimensions. This study contributes to a comprehensive understanding of the factors that have fueled and sustained the conflict, as well as the potential pathways towards a more stable and just resolution. By examining the intricate interplay of history, politics, and human experiences, the study underscores the urgency of addressing the challenges facing the Kashmir Valley

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