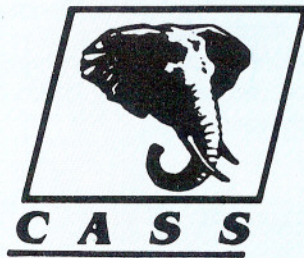

CENTRE FOR ADVANCED STRATEGIC STUDIES



**PROCEEDINGS OF SEMINAR
ON
CHALLENGES OF J&K**

4TH February, 2000

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PROCEEDINGS OF THE SEMINAR

Air Marshal (Retd) S. Kulkarni, Director, Centre for Advanced Strategic Studies opened the seminar and welcomed the distinguished guests and all the participants of the seminar, specially the main speakers, General (Retd) K.V. Krishna Rao who had come from Secunderabad, Shri Arvind Deo, who had come from New Delhi and Maj Gen (Retd) S.G. Pitre from Pune who is also a member of CASS.

Dr. Madhav Godbole, former Home Secretary, Government of India and President of the Centre delivered the inaugural address and chaired the first two sessions. In the first session Shri Arvind Deo IFS (Retd), former Ambassador to Nepal and Editor in Chief of the Public Opinion Trends spoke on the "Various Facets of the J&K Imbroglia". He was followed by Maj Gen (Retd) S.G. Pitre in the second session who spoke on the "Military Dimension" of the Challenges of J&K. The third session was chaired by General (Retd) K.V. Krishna Rao, former Chief of Army Staff and former Governor of Nagaland as also Jammu and Kashmir, the latter twice. After the opening remarks as Chairman, he made his presentation giving the historical background of the J&K situation, development of Pakistan's Strategy in respect of J&K, and evaluated India's counter measures suggesting ways and means of making them effective and successful. He monitored the general discussion that followed his presentation. Adequate time was allotted for a detailed discussion and comments on all the sessions for close interaction between the three main speakers and the seminar participants. The discussions in this well attended seminar proved animated, educative, thought-provoking and lively.

WELCOME BY DIRECTOR AIR MARSHAL (RETD) S. KULKARNI

On behalf of the Centre For Advanced Strategic Studies, I extend to you a very hearty and warm welcome for the Seminar on The Challenges of Jammu & Kashmir".

There is a slight change in the programme because Dr.Amitab Muttu has not been able to make it and therefore we are restricted to the three speakers. Dr.Madhav Godbole would give us the inaugural and would also chair the first two sessions. Shri Arvind Deo, our former Ambassador to Nepal, and the Additional Secretary in the Ministry of External Affairs, who has also been for the last nine years Chief Editor of Public Opinions and Trends, and General Pitre, who retired as the Chief of Staff and who has settled here will be the main speakers in these two sessions. After this Gen. Krishna Rao, Former Chief of the Army Staff, and former Governor of Nagaland as also Jammu and Kashmir, the latter twice, would chair the third session where besides making opening remarks as Chairman, he will make his presentation. This session will also have a general discussion covering the entire seminar.

As you all know, Dr. Madhav Godbole was former Home Secretary and has also had significant role in the Jammu & Kashmir Affairs as a Home Secretary at a very crucial time. After the inaugural by Dr. Madhav Godbole, followed by initial presentations by Shri Arvind Deo and Gen.Pitre, I will be requesting Gen. Krishna Rao to chair the third session and give his initial presentation, after which we will have general discussion where you would all get an opportunity to either give your views, or seek clarifications or give your comments.

I now request Dr.Madhav Godbole to inaugurate the Seminar.

INAUGURAL ADDRESS BY DR. MADHAV GODBOLE

General Krishna Rao, Shri Arvind Deo, Gen Pitre, ladies and Gentlemen. We are indeed very lucky to have amongst us today three very eminent speakers, and, as it happens we are going to get a perspective from three points of view of the Jammu & Kashmir problem. The first is the perspective of the Armed Forces, the second is the perspective of the External Affairs Ministry, and the third is the perspective of the Civilian Administration and the Home Ministry, and I think these three together might perhaps enable us to understand some of these issues, in this very complex sector to some extent.

As I look back at the Kashmir problem, I find that increasingly the problem is getting complicated every day. It is often forgotten when Jammu & Kashmir is generally discussed that there are three significant elements of Jammu & Kashmir. One is that it has a separate flag, it has a separate constitution and third it has a special relationship with Government of India under Article 370 of the Constitution. Let us look at each one of these elements very briefly.

The separate flag was permitted during the time when Kashmir acceded to India mainly for emotional reasons. As the records show that it was considered necessary to permit them to have a flag of their own, but that national flag will have the same eminence as it will have anywhere else in the country.

The Constitution of Jammu & Kashmir which was adopted in 1956 has some very significant elements as compared to even the Constitution of India, and first I will mention only a few of the major salient features which are relevant for our understanding of the issues.

First is the fact that the residuary powers vest in the State Government as compared to the Indian Constitution, under which residuary powers vest in the Central Government. This makes a great deal of difference in terms of the strength of the State, in terms of the capacity of the State to look at its own issues and to deal with those issues. We will later see briefly whether the State Government has made use of these powers or not. But under the Constitution it has all the residuary powers.

The second very crucial element in Jammu & Kashmir Constitution is that it is a secular constitution. The Constitution clearly accepts and makes note of the fact that it will be a Secular Constitution. As you are aware it was only after the Emergency in 1975 that the word "Secular" was introduced in the Indian Constitution, but the word "Secular" appears in the Jammu & Kashmir Constitution right from the inception.

Third, that there was a provision for free education for women right upto the University level. Again, one should not confuse Kashmir with a typical Muslim State. Even though Muslims are in a majority, it was a very enlightened State in the sense that they provided for education for women right to the University level completely free and at the expense of the State Exchequer.

Fourth, they recognised the place of Panchayats, something that we did only in 73rd Amendment to the Constitution in 1993. It was done right in 1956 itself by recognising important place of Panchayats.

Next is the question again of the importance of the State's autonomy or importance of the State's freedom as compared to that of the other states and that is in respect of Article 360 of the Indian Constitution. This is an Article which relates to Emergency Powers in respect of financial matters, declaration of a financial emergency. Under Article 360, these powers vest in the Centre so far as all other States are concerned, but so far as Jammu & Kashmir is concerned, Central Government has no such powers that if there is financial emergency, the Article 360 cannot be invoked.

There is another interesting provision and that is in respect of a Governor's Rule. We have all heard of a President's Rule being invoked from time to time in respect of various States. It is only in Jammu & Kashmir that there is a provision for Governor's Rule and under that rule the Governor can take over the powers of the State and run the State at his will, as was done by one of the Governors in the recent history.

Finally, all States bank with the Reserve Bank of India. They are governed by the financial discipline of the Reserve Bank of India. It is only in Jammu & Kashmir that the Jammu & Kashmir Government's

bank is J&K Bank and not the RBI. There is unlimited overdraft facility available for Jammu & Kashmir as compared to any other State Government which does not have this kind of a facility. This is again to show that the State is on a different footing as compared to any other State and the questions are asked, why special treatment to Jammu & Kashmir, why autonomy for Jammu & Kashmir, why not give the same kind of a treatment to every other State. Then we have to go back in history and find out the reasons why Jammu & Kashmir was recognised as a special case.

Then again one factor has to be borne in mind and that is over the years Jammu & Kashmir financially has always been given a special treatment by Government of India. As the economists say hard budget constraints is something which is faced by a number of States, including the Centre, but that kind of a hard budget constraint is not faced by Jammu & Kashmir Government at all because of large amounts of funds which are made available year after year by the Government of India.

Again you will find that Jammu & Kashmir was declared as a Special Category State, the only state, other than North Eastern States which was declared as a special category state because of its special features and because of its special problems. This means that all central assistance which is made available to Jammu & Kashmir, 90% of that assistance becomes available for Jammu & Kashmir in the form of grants and only 10% assistance is available in the form of loans. Now this is a very major concession given by the Government of India to Jammu & Kashmir as compared to any other State Government, except the Governments in the North East and Sikkim.

Then let us take the other problems. It is often forgotten that Jammu & Kashmir is not a homogeneous State. Problems of Jammu & Kashmir cannot be discussed as problems of one people. There is a Jammu Region, which is basically a Hindu majority region. There is a Valley, which is a Muslim majority region and there is Ladakh, which is a Buddhist majority region. And these three regions are as apart as any other place that you can think of in India.

Again, as compared to a number of other places, the district imbalances in terms of economic development are much more acute in

Jammu & Kashmir as compared to what they are in any other State in India. And therefore the regional feelings in Jammu & Kashmir are much more. Therefore when we talk about problems of Jammu & Kashmir or J&K issues, or Jammu & Kashmir situation or how to deal with the situation, one has to understand the number of these connotations. As you know, a number of State Governments are facing serious financial constraints. We all read in the newspapers, State Governments not being able to pay even the salaries of their employees.

The situation is much worse in Jammu & Kashmir. Jammu & Kashmir in fact is one State in which one in five persons is dependent on income derived from the Government. Those many are the Government employees in Jammu & Kashmir and the number has gone up while number of Government employees has gone down everywhere else. In Jammu & Kashmir the number has gone up by over a lakh of persons during the last 10 years. And we have seen just now, just few days ago, the long State Government employees strike of over 40 days was called off. It was again on the question of giving them Central Government pay scales, DA and other facilities.

On this background, a group of us was asked to look at the problems of Jammu & Kashmir in the context of economic reforms in the State and I was the Chairman of this Committee. We struggled with the issues for a year and a half, produced a 500 page report and submitted this report to the State Government in August 1998. A year and a half has gone by. I don't think the report, even the first page of the report has been opened.

And this is not surprising. This happens everywhere. There is a fancy in this country for appointing committees, but there is also a fancy in this country for quickly relegating the reports of the committees to archives. Our archives are full of reports of the Committees which have studied all problems facing the country but which have not been acted upon. In fact I often say that this is one country in which the wheel does not need to be reinvented. Everything has been studied in depth whether it is a problem of State, of Centre, social problems, economic problems, cultural problems. Question is finding administrative will and question is of having political will to deal with these problems.

And Kashmir problem is also no different than the problems facing the country in various other ways. When I look upon the total Kashmir scene, as I said earlier, I find that the problems are getting increasingly more difficult. The first problem that I will come to, and I have listed - for want of time, I will very quickly do some telegraphic jotting down of these points - but I have listed 13 of these points as those which will require closer attention in the next year or two, if we have to find solutions to these problems.

The first one is of increasing violence. Violence is not new in Kashmir. It has been there for the last 10 years. But the intensity of violence has gone up considerably. The attacks on the armed forces headquarters, attacks on the headquarters of para military forces is a new element in the last few months, which has shaken the morale of not only the armed forces, but also of the civilians and those sitting far away from Jammu & Kashmir. And we start wondering whether we are going to be in a position to hold the State at all.

Recently, in connection with review of TADA, just last week, I was reading the report of the Law Commission of India on bringing up a new legislation on the subject. That report reviews the kind of violence which is taking place in various parts of the country and it lists some figures in respect of Jammu & Kashmir. I would briefly like to mention some of these figures.

From 1998 till March 1999, 20506 persons have lost their lives in Jammu & Kashmir. 3421 incidents of violence have led to 2198 killings in 1997. In 5523 incidents and 2858 killings in 1996. In 1998 there were 2213 killings. Numerous cases of abduction, robberies, extortion, explosions, arson and so on. Civilians were the main targets of violence. 1333 killed in 1996, 864 in 1997, and 416 in 1998 upto June 1998. Foreign mercenaries are a new element which is now evident for last 3 to 4 years on the Kashmir scene.

So this is the kind of a new situation with a very increasing violence taking place and the question is whether we are going to be able to deal with it effectively. Some of the latter points that I will clearly mention will also relate indirectly to this subject.

The second question is our inability to influence the Western World in terms of declaring Pakistan as a State sponsor of terrorism. Time and again we have made these efforts during the last 10 years. Voluminous data has been made available to all the Western countries from time to time of the involvement of Pakistan. But you find even after the hijacking of the Indian Airlines plane it is the President of United States who came out with a categorical statement, "we do not find Pakistani involvement". And this should not come as a surprise. After all, these are compulsions or geo-political consideration factors. But it also means that we will have to be on our own in dealing with these problems and we cannot look up to or we cannot look for support in any of these except in Coffee Shops and Talk Shops, like in the United Nations. Therefore, are we going to be in a position to deal with these issues is the second question.

The third question is alienation of people of Jammu & Kashmir. I find we have been talking about it for the last 10 years, but I find the alienation is going up year after year. One of the implications of this is the response of the local people to elections held for the legislature or for the Parliament. There is a dwindling response to the elections year after year. If you see, walk around anywhere in Jammu & Kashmir you find hardly anybody talking well of the Government. At one time we were told, yes normalcy has come to Jammu & Kashmir because now Secretariat is thronged by people. And when we walked around the corridors of Secretariat, we found people thronged in the Secretariat, but they thronged with complaints. Not one word ever they talk in favour of the Government. There is a tremendous amount of corruption. Rajiv Gandhi, I do not know on what basis, but he talked about 15 paise of every one rupee of expenditure going into the hands of targeted persons. I am sure, in Jammu & Kashmir, not even 10 paise are going into the hands of people.

Vast amount of money, which I referred to earlier, is being put into the Jammu & Kashmir by Government of India, but is it reaching the masses is a question which we have to ask and if alienation of people is going to continue, are we going to get the support of people? Political parties in any case are not supporting Government of India or the Indian stand. Neither are the common people supporting. So are we

losing the battle In Jammu & Kashmir, the battle in the real sense, battle of public opinion, battle of public support.

The next is the question which again bothers me is that I referred earlier. Important place given to Panchayats in the constitution of Jammu & Kashmir. But there are no local bodies functioning in Jammu & Kashmir for last 50 years. Insurgency is a new element. Insurgency started only from the middle of 1990 and effectively from the beginning of 1990s. But what was it that held back the State Government from holding elections to Village Panchayats, to the local bodies, to municipal bodies, even Srinagar, even Jammu is managed by Administrator. Administrators being appointed for an year or two, I can understand, but for 30, 40, 50 years you manage the State with Administrators? You manage the State by devolving entire powers with the State Departments in the Secretariat? What kind of alienation do we bring about amongst the people and what kind of feeling do you create amongst them that they are participating in the governance of the State.

Therefore, for example, 73rd, 74th Amendment is not applicable to Jammu & Kashmir, even to a number of States in India like Bihar. Even today it is not being implemented. But Jammu & Kashmir has yet to make the amendments applicable in the State. Their laws pertaining to local self governments are totally out of date with the entire country. Now unless you make an effort to involve people in the administration, you are not going to solve the problem of Jammu & Kashmir and this is a point which we have to realise.

The next problem which bothers me when I look at problems of Jammu & Kashmir is the lack of employment opportunities. So far last 40 to 50 years people have looked only to the State Government for employment opportunities. Now State Government has just no money to employ even one extra person. Therefore where employment is going to come about. And therefore, I say that if Jammu & Kashmir is to be retained as a part of India, it will have to be economically integrated with India. Our Industry, Commerce will have to go into Jammu & Kashmir. For example, new knowledge based industry, computer based industry, which does not require conventional infra-structure can easily go into Jammu & Kashmir, and provide jobs for lacs of people.

Our Chambers of Commerce and Industry not even talk one word about problems of Jammu & Kashmir. We make no special efforts to employ people of Jammu & Kashmir in Public Sector Undertakings, in Private Sector Undertakings. Why can't a drive be launched to employ people from Jammu & Kashmir all over the country, if they are a part of the country, even though they are not a part of our State. Where is that emotional involvement which I find completely wanting and if you talk to a youngster in the streets, you will find he is a graduate but he does not even get a job as a bus conductor. In Kerala he gets a job at least as a bus conductor. Here he does not even get that job. So where does he go? Then he becomes an easy target for militancy, for training across the border, for brain storming being done by forces across the borders. So we have to deal with this war against insurgency, against terrorism on a much wider front than with what we have really attempted so far.

The next question which we are going to face very quickly is one of State autonomy. The report of State Autonomy Committee has already come. This government at the Centre was talking about abolition of Article 370. Now for their own political reasons they are not taking that item on the agenda for the time being. I am saying for the time being, because there are strong elements within the party who would like to abolish Article 370. In that kind of a situation, to be faced with a problem of State autonomy is something which is not easy to grapple with. But we will require national consensus on these issues for the reasons that I mentioned.

Jammu & Kashmir is a separate State by itself, separate case by itself, sui generis as we call it and therefore exceptions are to be made. They will have to be made in respect of Jammu & Kashmir. Are we prepared to make them? For example, last few years we found number of Chief Ministers of number of States, including somebody like Chandrababu Naidu, talked about re-writing the Constitution, giving much larger powers to the State and confining the regime of the Centre only to a few specified items such as Defence, External Affairs and Currency. Therefore in that kind of a situation we will have to see that on the question of autonomy we do not let down the State Government.

The other question which I expect will become an emotive issue which has not come up on a large scale so far, is the Indus Water Treaty. It has hardly even been discussed in India so far. But there is a strong under-current of feelings on this subject in Jammu & Kashmir as we found in the deliberations of our Committee. That when Indus Water Treaty was entered into with Pakistan, at that time certain waters were shared by Pakistan and certain waters were retained by India. But rivers which were flowing through Jammu & Kashmir, we also undertook a condition that there will be no storage of any of those rivers. This has meant severe limitations to setting up of hydro electric projects in Jammu & Kashmir.

As you know, in Kerala major income of the State Government is derived by sale of power, hydro power to nearby States. Similarly North East is talking about putting up a large hydro electric project and selling the power to nearby States and making some regular recurrent revenue out of it. Same thing can happen to Jammu & Kashmir, if their rights were not given away, bartered away without taking people into confidence or without compensating people. So they are now naturally asking a question, we have given away important right of our own for putting up hydro power projects. Are we going to be compensated? Nobody in Government of India is prepared to talk a word on the subject. But we will have to find solution to it.

These are issues which Chief Minister of Jammu & Kashmir has talked about again and again which also we have referred to as a part of the report of Economic Reforms Committee and that is in respect of write-off of past loans. After all, no price, as we say, no price is high enough to pay for holding India together and that is not just in respect of just 10 day war in Kargil. It is a long term war which we are fighting in respect of Jammu & Kashmir and no price is large enough to pay for retaining Jammu & Kashmir as a part of India because that is the part of the secular structure of the country.

Therefore write-off of loans. We are writing off loans day in and day out. For example when the Prime Minister visited Punjab two years ago, he declared write off of loans to Punjab. When another minister visited North East he declared write off of loans to North East. Why can't write off of loans be done to Jammu & Kashmir. Again an emotive

issue. A common man on the street holds on to this. And mind you Pakistan TV puts out news of this kind of items day in and day out, what is it that India is doing for you?

If we have given special purpose treatment to Jammu & Kashmir which I referred to earlier - ninety per cent grant ten per cent loans, that is given from 1990-91, past loans were on the basis of seventy per cent loan and thirty per cent grant. The demand is that why not make it applicable with retrospective effect? Are we prepared to do so? This is a small price to pay according to me in terms of retaining the State.

Again one important danger signal which I must mention. I am sure, Mr. Arvind Deo is going to talk about. It is danger of 'Think Tanks' in the West. Lots of our intellectuals on the basis of organising Seminars and Workshops in United States are becoming part of these Think Tanks and they are coming up with novel solutions of why not make this a UN Administered territory. All of this is going to go in the direction of giving independence to Jammu & Kashmir and nothing else and the earlier we realise this the better it is. But these are people who are holding important positions in the establishment who are parts of these think tanks, who are now talking on these lines. We will have to take care of how to deal with this subject.

Related to this is the question are we prepared to accept the LOC as the dividing line for Jammu & Kashmir. At some time or the other, we will have to accept this aspect. Internationalisation of this issue is not far away. We have already seen, after the nuclearisation of this country, for whatever reasons the Government thought it fit, if not anything else, this one step has made the Kashmir problem internationalised because it has given a handle for people to say, now with these two nuclear powers this has become a flash point. So time is not far away when this will become an international issue and if you watch the discussion on the Pakistan TV, time and again, number of foreign visiting dignitaries talk about it in Pakistan, but talk about it differently when they visit India. Therefore this realisation has to come as quickly as possible.

Last item, and that is are we a soft State? We must ask ourselves this question, are we a soft State? Are we capable of handling these problems? In fact, I must say, the hijacking of the Indian Airlines plane

and the solutions that we found has disillusioned me completely because this is a slow, low intensity war which we are fighting. When ten jawans we are prepared to sacrifice on Kargil but one civilian life we are not prepared to sacrifice when it comes to hijacking of an Indian Airlines plane!! Our own foreign minister carries the militants with him in his own plane. I do not think it has happened anywhere in the world. This must be put in the Guinness Book of Records. How far can we stoop before the foreign powers and before the militancy and terrorism ?

If we are going to continue to deal with the problems in this fashion, I have serious worries that we would have lost Kashmir before very long. These are the danger signals which I see before myself. I thought I should place these before an enlightened audience of this kind.

I am grateful that I had this opportunity to inaugurate this Seminar and it is indeed fortunate that we have such eminent list of speakers to follow, those who have dealt with this subject closely, who are aware of the niceties and who are aware of the intricacies much more than what I have had an occasion to do.

Thank you.

SESSION I

VARIOUS FACETS OF THE J&K IMBROGLIO

Chairman : Dr. Madhav Godbole

Main Speaker : Shri Arvind Deo

PAPER PRESENTED BY SHRI ARVIND DEO

Gen. Krishna Rao Sir, Dr. Godbole, Air Marshal Kulkarni, Gen. Pitre, members of the distinguished audience, ladies and gentlemen.

I must confess there will be slight repetition in addressing such a distinguished gathering with the former Chief of Army Staff sitting on the dais, and several Chiefs of Army, Navy and Air Force present around. I have in my years as a diplomat not served in Pakistan beyond one casual visit to Kashmir in 1956, not being there, and yet I very foolishly perhaps accepted the invitation to attend this meeting because I thought perhaps I will share with you some of the perceptions as an Indian diplomat as to how Indian position looks and as an Indian how Indian position ought to look. Much of what I wanted to say has in fact been outlined by Dr. Gdbole and I need not repeat this.

The problem of Kashmir began by an invasion of tribals, sponsored by Pakistan and this process has continued since 1947-48 till 1999, and I am afraid, unless we act swiftly and sharply about this, it is likely to continue for years to come.

I do not share that insurgency is primarily domestic, although the Government of India and the State Government of Jammu & Kashmir by its lackadissical form of governance provided fertile ground for such insurgency to seek support in the land. The case on Kashmir was lost by India in the first round and an example of how a good case could be spoiled by a bad argument which was presented by Mr. Gopal Swami Aiyangar who shifted from the complaint of aggression to a complaint of a dispute and over-arguing the case by someone as brilliant as Mr. Krishna Menon because some of the things that are held against India is an abrasive style in which Mr. Krishna Menon argued the Indian case of Kashmir.

The case of Kashmir, I agree, is a very special case and so is the case of North East. Many of the points I was trying to make have been already covered by Dr. Godbole. So I will not go on, but I would like to be quoting somebody, who, I know, is not going to be a fond author as far as this distinguished army and civilian gathering is concerned. I myself am not a follower of this distinguished philosopher, Karl Marx. But he said something very important. He said that too long the philosophers have discussed the world, but point is to do something about it.

I would say this as far as the problem of Jammu & Kashmir is concerned. For too long have we debated the issue in Seminars and in Think Tanks as deep and devious as you can imagine. Dr. Godbole rightly pointed it out that they are not purely academic exercises, they are exercises to influence for the battle of your mind and if your intellectuals can be persuaded to accept the fact that Kashmir is not an integral part of India, then there is no manner in which our brave and valiant soldiers can lay down their lives. Our civilians can fight for the retention in the fields if these distinguished worthies can persuade the Government of India to accept that it is better to lie down, raise your legs and beg for mercy. I am not preaching war.

I also want to recall a very peculiar statement which once the Chief Minister of State of Jammu & Kashmir, Dr. Farukh Abdulla made in Delhi when he was a Guest of Honour at the book published by Ajit Bhattacharya on the Valley, and used the phrase called - you Indians do not trust us Kashmiris. I have brought the exact identical quote. I happened to be in the audience and after the event I went to Dr. Abdulla and said, Sir, with all due respect, I suggest that you also are an Indian and the problem is that we really do not trust each other because by nature we are distrustful, because we are not confident of where we stand. This not trusting Indians quote unquote is something that was visible with Maharaja Harisingh, distinguished Prime Minister Ramchandra Kak and it is not surprising that there should be no trust between the Chief Minister of a State and the Government at the Centre because each is fighting for a common turf.

Now I want to take on the Kashmir problem, as I see it in two parts. One is a domestic part. That is the relationship between the State of Jammu & Kashmir, and with all due respect in spite of its special status,

it is a State of the Union of India. And how evolves its relations with the Centre, i.e. Delhi and other States in the Union is a matter for Indians and only Indians to decide.

There is also an external aspect of the Kashmir problem and that is stoking of troubles from across the border. And I say this with all responsibility in the world that all such invasions which have taken place into Kashmir could not have happened without Pakistan's active connivance if not direct participation. This morning I watched on television the discussion between Balraj Puri and Professor A.R.Punjabi on the matter of autonomy. I think this rightly belongs to the domestic element. But I would like to share with you how I see Pakistanis about perceiving the Kashmir problem of India and what steps they have been taking to destroy this. Pakistanis harp on the fact that Kashmir is the core issue. But it is a misleading signal. In Pakistani establishment's mind and I know this is something on which there will be a great deal of disagreement, the core issue is the Indian Union. Pakistan does not believe that India is a natural construct. They think that it is something artificially put together, left over of the British Imperial System, that Pakistan is a more natural construct. The reflection of this is found in the latest statements by organisations like Lashkare Toyba and other fanatic organisations who talk of unfurling the flag of Islam on the Red Fort. Islamising the whole of India. One of the organisations was saying that the Jihad in Kashmir is only a part of the bigger Jihad. The next would be liberation of Himachal Pradesh and other areas, so that the whole land becomes available for Islam.

I say this because to separate, the so called Government's statement from the statment of these public bodies could be very misleading. The Jamate Islamic kind of people who are outside the main stream of ruling elite today could very well become the ruling elite tomorrow in which case we should be prepared to deal with this logic.

One of the problems that I mentioned earlier was the governance both in Jammu & Kashmir and the way state managed relationship. But in all this one observes a certain amount of lackadaisical attitude towards attending to issues arising in Srinagar and Delhi. Incitement to Kashmir was from outside. And it is not only from Pakistan. You may recall the records of Hariman's visit to Shrinagar when it is understood that the

first ideas in which Kashmir could exist as an independent State and play an important role quote unquote was planted by the Americans as a reflection of their strategic thinking for Kashmir's place in the cold war. I point this out because I think it is very important to know that we look at Kashmir as an integral part of India. But other countries look upon Kashmir as a very important staging post for their own objectives, whether they are Central Asia, whether they are Tibet, whether they are vis-a-vis Pakistan. And these were originally conceived in the context of cold war. My submission to you, ladies and gentlemen, is that the cold war has not ended. What has ended is the cold war between the United States plus the Western Alliance and the Eastern Alliance, or the so called Eastern Alliance, the Warsaw Pact led by the Soviet Union. Because cold war does not disappear overnight. It is likely to be manifested in different forms in different theatres.

Now I earlier mentioned Farukhsab saying Indians do not trust Kashmiris and vice-versa. I do want to point out that among Indian Prime Ministers, probably Jawaharlal Nehru understood the minds of the Kashmiri politicians and he had an understanding on where Farukh Abdulla and his other colleagues would go. Mrs. Gandhi showed some understanding of Shaikh Abdulla. But after Farukh inherited the mantle, there was beginning to be a gulf between the understanding of Delhi and Srinagar, and this widened with Rajiv Gandhi's appearance on the scene. The world at large was looking to what was happening in India between 80s and 90s in a different way and we ourselves failed to understand two important events which had taken place and I am always surprised to see that talking of Kashmir, we do not generally touch upon this.

One is the Slavs Revolution in Afganistan, establishing the so called progressive society, or which was an attempt to establish the so called progressive society and then the natural corollary of an Islamic force trying to assert itself.

As early as in 1973, Zulphikar Ali Bhutto had evolved a strategy of long term thinking and established a base in Peshawar for the Afgan Islamic forces. The so called Mujahidins had been supported, Gulbudin Hikmatiyar and his group was supported. Total of nine or ten groups had been supported. Zulphikar Ali Bhutto had also talked, if you

remember, of a thousand years war and that was against India. It was not against Soviet Union. Now this war was something which was abridged by Gen.Zia Ul Hak in a 10 to 15 year period, the period that we felt that there was no major insurgency was actually the time when Gen.Zia Ul Hak was organising and fomenting this trouble sitting with forces of Pakistan Occupied Kashmir. The proof of this mentality is Gen. Musharraf's activities when he was commanding North East forces or Northern Area forces in Pakistan.

This problem started in the late 80s for a very simple reason. The Soviet intervention in Afganistan led to the American response which meant that a large amount of financial assistance and armed assistance went to Pakistan, some of which leaked and some of it was quite in large numbers. An estimate according to Pakistani media is that there were about 100000 AK 47s running loose in the country. It is not necessary to have all those 100000 guns trained towards India. A lot of them are used for settling domestic scores, whether in Islamabad, whether in Karachi or in other parts of Pakistan, primarily in Punjab, in intersectarian riots. But a large number of these were used for infiltrating into not only Jammu & Kashmir but also other sensitive areas.

Now I suggest to you that the insurgency that we witness in Jammu & Kashmir today is actually a part of a Pakistani strategy to find the weak spots in India and ensure that they are focci of infection. The first focus of infection was Punjab. It was much easier, manageable for Pakistan. But the Government of India dealt with it with the co-operation of the people of Punjab, the State Government of Punjab in an effective manner. When we talk of quote unquote ISI or other agencies fomenting trouble in India, it is all part of the same pattern whether it is in the North East, whether it is in Jammu & Kashmir or whether it is in other parts of India.

When you look at the state of Government of India after 1990, the impression that an outsider will get that India had suddenly lost its bearing after the death first of Indira Gandhi and then after the defeat of Rajiv Gandhi and subsequently his assassination. The picture of the Janata Government in 1990 was one of vacillation and of weakness which I may not like to say it, but if I were an outsider that is how I would report. And between 1991 and 1996, the Government of Mr. Narsimha Rao gave

an illusion of stability and an illusion of prosperity while the Indian State was slowly corroding from within.

You have already touched upon the element of corruption. But otherwise this was an era at which for various domestic and other reasons, corruption not only became endemic, it also became accepted as a form of political and economic life in this country. A Pakistani strategist could not find better soil and you see the manifestation first in 1990 and then the release of hostage in exchange of Rubina Said, for better or for worse, gave the signal that this is a State which can be black mailed into yielding. I will not dwell on Kargil. I look at the Kargil as a continuation of a sad story which began in 1948 is continuing and will continue thereafter.

I have also been commanded on a time limit. So I have another four or five minutes. So I will cut out a lot of detail that I have. But now I want to ask you ladies and gentlemen some questions. I think most of us sitting on this side have played our innings in one form or the other. But the question I want to pose to you is have we made up our mind on where we stand on Kashmir . Is Kashmir an intgral part of India and not alienable, not to be bartered away. If so, have we made our position substantially clear to the international community. I do not think we have. It is not by repeating it that you made it but by certain other gestures such as we are willing to talk to you on everything including Kashmir. To an outsider it means that the Government of India is willing to barter away a part of it.

Then there is another belief that it is possible to settle the issue on internationalising the border on the line of control. I am in some respects an optimist at heart but a pessimist of intellect . Unless Pakistan learns to co-exist with India, accepts India as a fait accompli not as an artificial construct, no matter what the international border, we shall have continued attempts at distabilising India from our western neighbour. In fact, if we do not attend to our domestic responsibilities carefully, even smaller States in our neighbourhood would try to take advantage of it and nibble away either at our territory or our economic or political sovereignty. But that is another matter.

What it is that Pakistan is trying to seek ? Pakistan believes that it has a right to parity with India. If India undertakes a nuclear policy,

Pakistan must follow a parallel policy, so that it acquires a parity. Well, good luck to it. I would not stand in the way. But I believe that any defence against Pakistan would only become possible if we make the cost of such defence so high for Pakistan's fragile economy that it would be obliged to give up the effort.

Pakistan's economic conditions are such that it cannot bear any extra additional burden of defence or wasteful expenditure. Now if we have to increase our budget by a fraction of a percent, the burden that is placed on Pakistan would become so intolerable that there would be domestic strains. What does the present Government indicate. I have not touched upon lot of issues and I would probably touch upon them in the question-answer session.

I think the Lahore visit of Prime Minister Vajpayee was significant in more than one way. The charge against India and in some respects right for the first twenty-five years that India would not reconcile to the birth of Pakistan. Some of our senior leaders had made statements in 1947-48 saying that Pakistan is an artificial body, that it will crumble. It will come back to us, to say the least, poor in judgement and best left unsaid. But what has been done, cannot be undone.

The visit of Mr. Vajpayee in 1999 to Lahore and the statements that the Lahore Minar, the site where the Pakistan Resolution was passed saying that we accept and we would like to see Pakistan as a stable prosperous etc. State is the first public admission by a senior member of the Indian Government, by the Prime Minister of India in so many words and when it comes from a person whose party has been known to be not reconciled to partition, whose party had spoken time and again of AKHAND BHARAT, for him to say this is a calculated gesture to say that look whatever has happened we have been separated at birth and thus we will remain.

It is a good thing to say. But having said that if the Indian establishment became complacent, it did so at its own risk. Part of the reason was that as a State who were saying that we are a hard boiled egg but hard on the shell but soft inside, we are like a cracked egg and we can't be unscrambled, unless we decide that we are not going to be allowed to be cracked in future.

Let me finish by recalling what Gen. Musharraf said in April in Karachi when he addressed the English speaking Union and I quote this because it is very important. He said that Kashmir is the core issue between India and Pakistan, but not the only issue. Even if the issue of Kashmir were to be solved and in Pakistani terms it would naturally mean solved by India giving up Kashmir by holding a plebiscite etc.etc. the relations will not improve because India considers Pakistan as a thorn in its eyes. Quote One. The same man today is the Chief Executive and also has his finger on the nuclear button.

The second man whose quote is also worthwhile is Foreign Minister Abdul Sattar who was twice High Commissioner to India and in second term is on record of having told the Foreign Secretary in his farewell call that I do not believe that relations between India and Pakistan will return to normal for the next 50 or 100 years, perhaps after that but who knows. It is at the beginning on the page of Mani Dixit's book on Pakistan.

And the third is by Javed Jabbar, the Minister of Information and I used these three people, because they represent different political thinking and yet is focussed in the same direction. Abdul Sattar said recently in a Seminar which was held to discuss CTBT that hoping for good relations with India is like water irrigating the desert. He came in for much adverse criticism for this. But be that as it be, so is his bent of mind. So if we were to enter into any kind of negotiations with him and leave Kashmir out of it whether for commercial matters, for State matters etc. I expect this mind-set that talking to India would be like irrigating desert. Somebody did remind him afterwards in the letter to the editor of that paper that there are countries which have made desert bloom by careful manipulation of water and soil but that is another matter.

Then there is Javed Jabbar who is the thought Czar of the new Government. He is a very pleasant man in person. He has been a senator. He is known to have liberal views. He had been in India some years ago and the talk came up to opening up the medias of the two countries. You don't know probably you can't buy a Pakistani paper even today and Indian papers are not permitted to enter into Pakistan although there is no ban from the Indian side. So this was just at the beginning of the days when satellite transmission had started the TV. And one of the speakers, if I remember was Nikhil Chakraborty said, ' you know, India and

Pakistan are like East and West Germany. One of these days they should come together. I think that was the most fallacious argument I have ever seen used but that is another matter. Javed Jabbar suddenly No, No, No, No this is not a Berlin Wall. But we shall raise walls high enough, if necessary, to reach the sky. We do not want to become a part of India.

I am reminded of a question which was asked the other day. Sir, do you think like the two Germanys came together, India Pakistan would come together. I said you are really talking of two different structures, two different concepts coming together. I could answer a question like coming together of East Germany and West Germany was like getting together of Vidarbha and the rest of Maharashtra because the rest of things were common. Their separation was not by mutual consent. Here so much water had flown that it would be in our interest to see that Pakistan continues a separate State. I am purposely not using the word prosperous and stable because Pakistan's own conduct does not seem to lead me to believe that this would happen. We also ought to think in serious terms of the consequences of what happens if Pakistan eventually crumbles, implodes or whatever happens to it, its impact on India.

And last but not the least, let me sound like the Sandra Awami. No State should take it for granted that it is eternal. Soviet Union was not eternal. States have been coalesced together, have fractured and if India wants to continue for the next 50 or 100 years, it must end every day of the next 50 years ensuring that this happens. For this, you need a strong secular structure. It does not mean that you become the replica of the Government in Pakistan mindset. But whatever we do one of the conditions and this is not really the forum to insist on this, is better governance, clean governance, transparent governance, and governance which is primarily free from corruption, ideological, financial or in any other matter.

Unless this happens, we really have challenges far graver than the challenge of Jammu & Kashmir. The challenge of Jammu & Kashmir is a part of the entire challenge faced by the Indian polity.

Thank you very much.

SESSION II**THE MILITARY DIMENSION****Chairman : Dr. Madhav Godbole****Main Speaker : Maj Gen (Retd) S.G. Pitre****PAPER PRESENTED BY MAJ GEN (RETD) S.G. PITRE**

Honourable Chairman, Ladies & Gentlemen.

At the very outset, I must be quite honest in expressing my apprehensions of speaking on such a brow-beaten subject as Kashmir before this well informed and august gathering and especially in the eminent presence of Gen Krishna Rao who holds a very unique and exclusive micro view on the issue. I really thank the Director, CASS for giving me this opportunity. My mandate is just to cover the military aspects of the dimensions for the challenge in J & K.

Now, for a complex issue like the J & K, for what it is, it is very difficult to isolate the military issue which is so connected with various nuances like the economic, ethnic, diplomatic, political, social. But having said that, I really restrict myself to the matters military.

Mr. Nawaz Sherif, the last civilian Prime Minister of Pakistan, made two very significant statements when he returned from Washington after agreeing to a withdrawal in Kargil. Talking to a televised address to the entire nation, he said the road to Srinagar does not lead, does not pass through Kargil. It was an abject admission by a head of a State which in essence sounded the entire history of perfidy and chikanery over the last five decades by which they have been trying to enter Srinagar by a number of routes. His second statement which he made to Senators, just after couple of days while briefing them was that there will be many more Kargils.

These two statements taken together display the innate obduracy and, should I say, a stubbornness of a nation which has not found its identity over last five decades, is running after a mirage which is spelling

its own images. But in the bargain, they have spread an entire sense of terror and apathy and misery on the sub-continent.

In order to really seek the dimensions of the military aspects, please permit me to take a very galloping view of what has happened since 1947, in the mid fifties.

You all know that the contours of the military dimensions were scripted well in July/August of 1947, when Maj.Gen.Akbar Khan of the Pakistani Army scripted or made out the plan, Gulmarg. Mr.Jevan Parik, a very illustrious Arab General who had attacked the Rock of Gibraltar overnight and invaded Spain, was Mr.Akbar Khan's idol. Nobody could stop Akbar Khan from really getting his dreams, but for two acts of providence.

One was a Brig. Rajindra Singh of State Forces running with some sort of soldiers and putting up defence of some sort at Uri by destroying the bridge and the second of course by his own design, the marauders of the North West Frontiers whom he recruited for laying the offensive, dealt a break to his basic instincts in Baramulla and spent right through four days in ransacking and wrecking Baramulla. That gave us time for the Indian Army to come in and really launch a very effective, though diplomatically stunted effort. Rest is history.

The Pakistan army was inducted in May 1948. And then we all know that the fate of J & K was sealed throughout cease fire line, the burden of which we carry for the last five decades. What I want to make out is really the first operation for Pakistan was a mercenary operation and totally rested on perfidy.

Come to 1965, which was an extension of 1947. A very meticulous plan of infiltration was made but unfortunately it failed because whether it was Mounuddin of Darosa village near Gulmarg or whether it was Wazir Mahamud of Galuchi village near Mendok, where both of them were approached for some sort of help. Their reaction was absolutely same. They went and reported to the police and the entire offensive was nipped in the bud. But again two things the Pakistani realised that they could succeed in Kashmir only with local support, and reliable intelligence.

In 1971, Pakistan Army was totally annihilated. I would not spend time on it. After 1971 operations Pakistan realised that a conventional war with India will always spell their doom. Those of you, who want to see a range of warfare, it is a continuation or like a sort of an oscillation of pendulum. On the left is a very low intensity conflict or proxy war or war by decept. Every army wants to operate the ante, either through or on both sides or from ante side to the other side. Centre point is the conventional war and as you cover the right, it is the nuclear war.

Pakistanis realised that the only way is to stick to the extremities and that is why Bhutto thundered that we will eat grass for thousand years, but we will make a nuclear bomb. What is more is a very meticulous template was made of a proxy war, call what it is, which was to be launched over a period of time and I must say that was done very deviously.

Learning from 1965 experience, they first restored or reconstructed the ISI as a very devious and insurgent force and then they inflamed the AZADI. It took shape sometimes in 1989 and went through three evolutionary phases.

The first phase in 1989 was mainly the son of the soil, the local man who was really exploited by organisations like JKLF. Somewhere in 1992, Pakistanis realised that they had taken a firm root, for the local son of the soil was definitely marginalised and in came the POK or Pakistani militant. In 1994-95. this really achieved another dimension when a foreign militant came and it became a mercenary war. So, as I said, it has gone through an insurgent or militant and a mercenary way. Today's mercenary is indeed a very well trained, well committed man in the chain for the LIC and who has a very high genre of fundamentalist attitude, has been very meticulously cultivated in the Madarsas of Pakistan. That is what we are dealing with. We are dealing with a mercenary insurgence and no more local insurgence.

Before I wind up this dimension, there are three more aspects which must be taken into consideration, which have happened recently. The first is of course the entry of Osama Bin Laden and his entire genre which has now come overtly. Now this will definitely sharpen the edges of fundamentalism of the militants.

The second of course is the change in the strategic weather in the entire Indian sub-continent which took place after both countries nuclearised. And third is the adversary, the change in the adversary and that is, the introduction of oligarchy in Pakistan, army led oligarchy in Pakistan. And our experience with these has not been very pleasant hithertofore.

So these are the various aspects of the military dimension and the elements of the military threat are : a very long 740 kms. line of control and beyond Indian Inet 42, as you know, actual ground position line in the glaciers, are very committed foreign militants who can go to any extent, and a fundamentalist, a nexus between the army man and the militant, an oligarchy, a nation, nuclearised nation, led by despots who can go to any extent to achieve their mission, and the nation's only obsession is Kashmir and finally a very apathetic and irresponsible, of course and to an extent little alien, population which is sandwiched between very well meaning but constrained security forces on one side and an ethnically similar but a scheming militant on the other.

These are the dimensions of the entire military threat as on today. I think it has never been so bad hithertofore. Mr. Bhutto sometimes, in mid-Sixties, while spelling out the overall strategic objective of Pakistan to his boss, Mr. Ayub Khan, made a very significant statment. He said Pakistan's national survival and unity depended on keeping India on the defensive, and de-stabilising India.

In 1960, this might have appeared very boastful, but I am afraid to say that this scheme is working. It is succeeding and that is the dimension. Lot has been said what should be done, I would only cover the military aspects. If I could have an outline from which I should take on the military aspects or military way of tackling the insurgency. The jinks have to be broken. The defensive mind-set has to be done away with. There is always a hope of good relationship between India and Pakistan, but I think the time is no more opportune for this. We must exhibit by action rather than empty lettering, that our threshold of tolerance has been crossed, and if this is to be done, this can manifest into three ways as far as the military perspective is concerned.

First, the low intensity conflict. As was just pointed out by Mr. Godbole, the very new resurgence is the attacks on and very bold

attacks on the military headquarters. A number of casualties have occurred and widespread doom and it means that the militants have become bold and their morale is on the rise. This has occurred, very simply because of the overuse of the army. You take any perspective planning or any committee meeting in which strategic objectives or strategic plan is discussed. It will always concede that the army is overused, but the smallest turbulence which will occur in the valley, more troops and more army is inducted,. Now this has to be definitely prevented.

Army has got three tiers of dealing with the LIC. The first tier is of course army or army like structure. The second tier is formed by the para military and police forces and the third which I am going to promulgate and which is coming in force is Village Defence Committee. Unless there is a synergy of all these three and they work towards the same goal, we cannot really make a template for low intensity conflict. The Rashtriya Rifles (R.R.) were raised for dealing with or for providing a permanent base in J&K with which to tackle the militants. It has gone through lot of convulsions. Having accepted, it has had lot of economic difficulties. Very myopia has set in. But finally we have now got three forces. Deta, Kilo and Arobian forces. One is in the Southern Kashmir, one in North Kashmir and one in Doda area. Now RR has to be put and has to be permanently kept there.

The crux or the sort of basic secret of success of any counter insurgency or should I say now the counter mercenary operations will lie in having a permanent grip which is very familiar not only with the terrain but with the local population and with of course the militants.

These are the three tiers. Along with them the police stations which have been abandoned need to be definitely established along with these three tiers or two more force multipliers. One is of course the well talked of unified command and next is a unified intelligence, with the introduction of Fidain which is very much a suicide squad which has brought the insurgency in Kashmir to the genre of the Tamil Elam.

The need for action of intelligence is definitely needed. Now these five elements, the three tiers, the unified command and the unified intelligence are like five fingers of a hand. Unless they are close together

for the same reason, and a twist, we cannot have a punch to knock out these militants.

A militant's perspective has to be changed. We are all taught in the army that an insurgent is only a waylaid son of the soil who is our brethren and must be dealt like that. But the foreign insurgent does not fall under this definition. He needs no mercy. He has to be dealt ruthlessly. SACHEN KURYAT YUDDHENA NIKURYAT PRATIYOJET. If the enemy uses foul means, we must also use the same means. A militant or a foreign mercenary who has entered through illegal means has carried out a turmoil in our own land, when caught he is not supposed to be dealt by the process of normal law. If we really take note of this and be bold enough, I think there will be no more Thirgals or there will be no more Masoods for bargaining.

I will now come to the LOC. The Line of Control, is a very porous border which has been shown by Kargil. A lot of material and reinforcements of the insurgents flows through it. Well, this has to be sealed and it is no new invention, but then we can literally or physically not do it by troops. It is physically impossible or impracticable. What is needed is an electronic sealing. A lot of good equipment is available in Indian market. Handed sites, thermal sites, binoculars and what is more is an all pervasive satellite coverage. We must seal the porous border by this. And in addition to this have a very offensive defence across the porous border. Recent incident at Palanwala, you must have heard is a very great ray of hope and we feel that there will be more of such news to us to fall back on.

Pakistan is a nation not to be believed. There is always a perennial feasibility of another possible military conflict and we must be prepared for a very strong military response. Kargil occurred at a time we were not, neither weather was suitable nor the time of the year was suitable and we were not prepared both politically and let me accept, militarily. We were surprised. Kargil made us do lot of adjustments. We cannot fight the next war, as the next round of the last war. We have to take note.

Kargil has sent very right signals. Pakistan's aim in coming in Kargil was probably five-fold. Tactically they wanted to disrupt the line of communication, National Highway No.1. Geo strategically they wanted

to impose another Siachin on India. Strategically they wanted to test the limits of decision making in terms of nuclear decisions of the Indian polity. Politically they wanted to internationalise Kashmir and of course internally they wanted to shut up the mouths of Sheriff's opponents.

If you really take a very careful look at the retrospect, Pakistan has failed in all its mission, except for one and that is imposing another Siachin on India. We have definitely, I am not going to comment here, it is highly debatable, whether we would have gone and enhanced our deployment in an area where the threat can be contained otherwise. But it has very different dimensions and neither I nor this gathering is really able to correctly assess what are those. But one definitely is tempted to comment that had we raised rather an offensive force, a mountain offensive core in J & K, it will send a lot of different signals across the border.

Post 1971 India went through the first reforms in which we made a very strong offensive capability in the plains. Has a time come, post 1999, to create the same offensive capability in mountains by an offensive force. I am quite aware that India can raise an offensive force at a very short notice and repulse any aggression as has been shown by Kargil. But why not institutionalise it, give it a graded Command and Control Headquarters and also give it dedicated force. It will mean two things.

First, it will really give us a clout to take to field at a very short notice and more importantly it will send very right signals across both borders that be prepared for any mis-adventure in the mountains too. During Kargil we have noticed very yawning gaps in India's mountain self-preparedness. We need to modernise everything - from a shoe lace to a satellite and we need money for that.

I am not going to make a case here. But I am summarily saying that we must bury this bogie of affordable defence. The defence expenditure has to be upgraded from 2.5 to at least 3.5 per cent and that is the call of the day. According to me, there is a need of a total pro-active stance in all fields. Some journalist has very rightly said that we must offer negative incentives to Pakistan. We have so far been giving them only positive incentives. The nuclear symmetry between India and Pakistan does impose certain restrictions on our military objectives and use of force. But then that is more applicable in plains than in mountains. As Kargil

has shown, nuclear symmetry is not much of consequence, at least we can say, with some surety in mountains. There is a need for a very firm stance and hard decisions as the crux of my entire presentation to you.

We must show Pakistan that we cannot be pointed to as a soft State. All his actions clearly indicate of adversary dealing with a soft State and this has to be shown by action.

At the end, there are only two options - Prepare or Perish. If you prepare for war, the peace will occur and the time for India is very short.

Thank you very much, ladies and gentlemen.

SESSION III**BACKGROUND OF J&K SITUATION, PAKISTAN'S
STRATEGY, EVALUATION OF
INDIAN RESPONSES AND MEASURES FOR
IMPROVEMENT**

Chairman & Main Speaker : General (Retd) K.V. Krishna Rao

PAPER PRESENTED BY GENERAL (RETD) K.V. KRISHNA RAO

I am delighted to participate in this important Seminar. The subject that you have selected shows your increasing interest in and concern for the most problematic and strategic state of the country. I believe, Non Governmental Organisations like yours can take independent, unbiased and objective views, on such vital issues concerning National Security.

During my talk at this Centre on 5 April 1997, I had mentioned that Jammu and Kashmir was not merely an internal issue, but is a vexed problem with international ramifications. At that time, you will recall that I had traced the background from the ancient period upto the partition of the Sub Continent, explained the Pakistani invasion, accession of the State to India, the military operations carried out ending with the cease fire on 1 January 1949, the Karachi Agreement, the United Nations' resolutions, their non compliance by Pakistan, the Indian efforts to introduce democracy in the State, the Pakistani non reconciliation to stability in the state, the subsequent two wars in 1965 and 1971, non implementation of the Tashkent and the Shimla Agreements by Pakistan, the protracted Proxy War by Pakistan, the Indian responses ultimately leading to restoration of democracy, and the challenges before the State and Central Governments to be tackled, in order to achieve full normalcy.

A great deal has happened, after revival of democracy on 9 October 1996. Although Pakistan was in a quandary as to what to do after a democratic government came into power in the State, they did not take long to regain their wits ; and started their efforts at promoting another Proxy War. Unfortunately, it would appear that the people are

disenchanted with the performance of the new regime, the grip on law and order appears to have been loosened, and the people once again appear to have reverted into a psychosis of fear and uncertainty.

As you are aware, three major things have happened after restoration of democracy. These were - Kargil, the Pakistani coups and the Hijacking incident. There has been considerable criticism in the country, of the manner in which these challenges have been handled by the Government. Whatever it may be, it appears that the militants have been emboldened with their successes, and Pakistan appears to be pursuing her quest for annexation of Kashmir even more vigorously and aggressively.

I hope that the various important aspects that have a bearing on the challenges the Country is faced with in Kashmir, would be discussed freely and frankly. I also hope that the discussions will lead to some practical ideas on tackling the challenges.

I had, earlier mentioned that Jammu and Kashmir is not merely an internal issue of India, but is an intricate problem with international ramifications, which has defied solution for 53 years. It is therefore vital to understand our adversary's, aims, aspirations and strategies, as also the attitudes of the international community.

Pakistan considers Kashmir as the unfinished business of partition, as a core issue, and as the only real dispute with India. Despite failing to achieve her aim of wresting Kashmir in three regular wars and a proxy war, Pakistan is not reconciled to the status quo. It has been assessed that no government in Pakistan can give up its claim to Kashmir or make an unacceptable compromise, and hope to last in power. Even if the problem of Kashmir is resolved if it can ever be, Pakistan will continue with her efforts to destabilise, weaken, and fragment India, as she considers a strong India as a constant threat to her survival. Earlier, she was scared of India particularly after the 1971 War, but after acquiring some nuclear capability, she feels more confident. She perhaps considers that she is now in a position to confine a war to Jammu and Kashmir, if she is to exercise war as an option. However, she cannot be sure of the likely Indian reaction, in particular, whether India would then cross the International Borders as per her earlier policy in 1965 and 1971, keeping

in view her likely superior nuclear capability. However, Pakistan tries to scare the international community of a possible nuclear holocaust, and thus endeavours to involve a third party, most likely USA, to pressurise India, to resolve the dispute peacefully. It therefore follows that India should be prepared to deal with both the eventualities. For this enlightened audience, the strategic importance of Jammu and Kashmir requires little stress.

It would be worth while to review, how Pakistan strategy has developed over a period and what shape it is likely to take in the future. In order to annex Kashmir, Pakistan tried different strategies at different times, as would be evident from the following :-

- (a) She initially attempted massive infiltration with irregular forces. While in 1947-48 War, she succeeded in almost capturing Srinagar, subsequently she was repelled, but managed to keep about one third of Jammu and Kashmir with her. At a certain stage, she had to involve her regular forces also, when she found that the irregulars were with-drawing.
- (b) Again, in 1965 and 1971 Wars, she attempted massive infiltration, followed by attacks with regular forces. India retaliated across the international borders and thus frustrated Pakistani designs. In fact, in 1971, Pakistan lost her Eastern Wing.
- (c) After failure in three regular wars, she evolved a new strategy of promoting a proxy war in Jammu and Kashmir ; and started implementing it from 1990 onwards. While she achieved considerable success in the early stages, by adopting a multi pronged approach the militancy was subsequently crushed by the Indian Forces, a conducive atmosphere for elections was created, credible elections were held with about 60 per cent participation of people, and a duly elected government with a two thirds majority was installed in October 1996.
- (d) Pakistan then got into jitters, and started taking militant leaders to task for not preventing or disrupting elections. However, she started questioning the credibility of the State

government, dubbing the election as a 'sham'. She restarted infiltration, with greater number of foreign militants.

- (e) Not being satisfied with the results achieved, she then evolved a new strategy of severing Ladakh from Jammu and Kashmir, by large scale intrusions across the Line of Control in the North in 1998, and achieved some success. After initial reverses, Indian Forces cleared the intrusion. However, the enemy has forced India to commit substantial additional forces permanently on ground of his choosing.
- (f) Pakistan exploited the situation resulting from redeployment of forces due to Kargil and not only infiltrated more foreigners, but also pushed in some "Fidayeen", i.e., suicide squads, to attack security forces campus. They have been achieving some successes, although the suicide squads are mostly being eliminated. She is thus keeping the "pot boiling" and is striving to impose another proxy war.

On the Indian side, while the counter measures worked eminently in restoring democracy, subsequently, for various reasons, such as dissatisfaction of the people due to unfulfilled promises, loosening grip of the security forces and loss of confidence of the public and a fear psychosis, the situation once again appears to have deteriorated to a considerable extent. It has to be remembered that the Country cannot afford this, as international opinion with regard to the choice of the people of Kashmir, which was vindicated in October 1996, may again turn against India. It must be borne in mind that the attitude of other countries, is really determined by the situation on the ground, and not by any amount of rhetoric. Further, diplomacy should fully exploit the successes achieved on the ground.

As for the future, it would be naive to think that Pakistan would give up her claim to Kashmir. She could continue her efforts to impose another proxy war, or carry out further intrusions with a view to isolating certain important areas, or launch a limited war against Jammu and Kashmir, or even attempt a full scale regular war. The civilian coup and the counter military coup in Pakistan have aggravated the situation further, although even during democratic rule, the military always had

a predominant influence in Pakistan. In this connection, the fact that Taliban was the creation of Pakistan with the help of the United States of America to drive the Russians out, and that Pakistan has achieved the strategic depth that she has been striving for, must be kept in view. You would no doubt have heard the famous saying that Pakistan is controlled by the three 'As' - America, Army and Allah! Further, it is also apparent, that Chinese military assistance to Pakistan will continue.

Under the circumstances what should be the response of India ?
Some of the important measures that could be taken are :-

- (a) Continue with our efforts to hold talks, irrespective of the type of government in Pakistan, as in any case, even in a democratic set up in Pakistan, the Army's influence is over-riding. In this connection, the conflicting stands of the two countries, i.e. repeated rejection by Pakistan of a settlement based on the Line of Control despite the unwritten Agreement at Simla as disclosed by Mr. P.N, Dhar (the then Prime Minister's Secretary) and on the other hand, repeated reiteration by India of her resolve to retrieve the lost territory as per the Parliament resolutions, have to be kept in view. The sanctity or credibility of the Parliaments of both the countries is involved. In any case, the fact that no sensible Nation discloses its trump card or bottom line at the very outset of negotiations, has to be borne in mind.
- (b) The fact that the Chief of the Army Staff mentioned in the early stages of the Kargil confrontation, that the Army will fight with whatever it has, indicates that there are serious deficiencies of equipment. These must be made up in an early time frame, so that the Army and the other Services develop the requisite counter-offensive capability, to be able to win the war if and when it takes place.
- (c) In the mean time, India should do nothing to provoke a war. However, she should be prepared and be vigilant, to be able to defeat the enemy's design, in case a war is thrust on her. The Line of Control must be better managed to prevent exfiltration and infiltration. It has to be realised that the enemy

discovered that infiltration works, and is likely to use it in conjunction with a regular war.

- (d) Other deficiencies such as intelligence, manpower including Officers, etc., should be made up.
- (e) The lessons learnt from Kargil should be honestly disseminated and acted upon, as was done after the 1962 War.
- (f) The State Government must provide a clean, competent and responsive administration ; and regain and maintain control over militancy.
- (g) The Centre must help the State Government in the more important aspects, such as law and order, finances and employment.
- (h) The Police and Para Military Forces must be made more effective. There should be greater coordination and cooperation between themselves, and in their working with the Army. The Judiciary must expedite cases of militants in custody. Reformatory education should be imparted to the fairly large number of militants in custody.
- (i) It is necessary that the Valley has a mixed population, as it was before. Therefore, every effort must be made to rehabilitate the migrants in the Kashmir Valley at the earliest.
- (j) Every effort should be made to provide relief to the victims of militancy. Further, reconstruction of damaged assets should be completed early. Every effort must be made to minimise and eliminate allegation, as also to carry the people with the government.
- (k) Both the State and the Centre should allow democracy to blossom in Jammu and Kashmir. There is no harm in holding talks with the militant leaders or the Hurriyat.
- (l) The Media plays an important role, as it became evident during the Kargil crisis. Some sections went hammer and tong

for the leadership, which the Country can ill afford, but cannot be totally avoided in a democracy. Greater transparency and imaginative handling should help in exploiting the Media as a Force multiplier.

It is obvious that the absence of an effective and responsive National Security Organisation has been having a deleterious impact on our national security. Many suggestions have been made in this regard in the past, including one by the Expert Committee. The sooner this is put right, the better it would be for the Country. Otherwise, our so called crisis management groups will keep blundering along. Further, it is intriguing to find that whenever faced with a difficult situation, we seem to adopt a defensive attitude, whether in pursuing national interests or on the Cricket Field. It must be remembered that defence alone never wins a war. The offensive has to be under taken to succeed ultimately.

The public perception is that they can totally rely on the Armed Forces to safeguard the integrity of the Country. The manner in which the entire Nation rose to support the Armed Forces in the recent past, shows the confidence and respect they have. In turn, the Armed Forces must consider no efforts nor sacrifices to be too great to sustain this impression.

CLOSING REMARKS BY AIR MARSHAL (RETD) S. KULKARNI

Air Marshal (Retd) S. Kulkarni, Director of the Centre for Advanced Strategic Studies thanked the Chairmen, and the main speakers for their excellent, well researched presentations, based on their vast experience in handling the J&K problems and their indepth study of these. He thanked and complimented the participants for their searching questions and very relevant comments which enabled a deeper probe in the subject of the Seminar. He said that the Centre had planned a major two days seminar on "Indo-Pak Relations : Challenges Ahead" in the last week of March, 2000 with financial support from the Ministry of External Affairs, and expected more light being focussed on the challenges of J&K and Indo-Pak Relations". Once again thanking the main speakers and the participants, he declared the Seminar closed.

SUMMARY OF DISCUSSIONS

J&K is not a homogeneous state. While Jammu is predominantly Hindu, the valley is Muslim and Ladakh Buddhist. It has a rich heritage of a secular and liberal democratic constitution. It enjoys a special status compared to other states. The Centre's powers over J&K, unlike over other states are restricted. Article 360 cannot be applied. It banks only with J&K Bank and not with the RBI. Ninety percent of Central assistance as compared to thirty percent for other states, is available as grants. The state has now thrown up very serious challenges. Their magnitude, ramifications and the quality, content and effectiveness of the Indian responses were probed in the Seminar.

"Challenges of J&K" a very topical subject attracted a very large well informed audience specially as the main speakers were eminent persons with very rich experience and some were directly involved in framing policy and handling the J&K situation. The participants, some with actual experience in the field raised very pertinent questions and made valuable comments. These enabled the main speakers to bring out additional information and further amplify their presentations.

General Krishna Rao stressed the necessity of holding the talks with the Pakistani Government whosoever be in power, and even with pro-militant, pro-Pakistan militants and at the same time steeply raising the casualties as well as financial costs of infiltration and indigenous insurgency making them prohibitive. Earlier, many militants had been won over through these quietly held talks and they fought the other militants. Transparency in J&K is essential for convincing our people as well as for influencing international opinion. This facilitated holding of fair elections and establishing their credibility internationally. The Chief Ministership of J&K is the most challenging Chief Ministership in India. An Indian firmly believing in the irrevocability of J&K's accession to India, the present Chief Minister has his own restraints and compulsions. The Centre should treat him with much sympathetic consideration and understanding.

A different view on the subject of holding talks with General Musharraf was also expressed. It was feared that such talk would confer

legitimacy on the person who had hijacked the Government, and would get derailed when he is overthrown. Further, there was also the legacy of talks with Nawaz Sharif, the then Prime Minister of a democratically elected government.

The discussions turned out to be purposeful and lively. At the end, a general consensus emerged on the following lines :-

- Pakistan considers Kashmir as the unfinished business of partition as a core issue and as the only real dispute with India.
- Despite failing to achieve her aim of wresting Kashmir in three regular wars and a proxy war, Pakistan is not reconciled to the status quo.
- For Pakistan, victory in Kashmir would be an important step towards destabilising/fragmenting/disintegrating India.
- No government in Pakistan can give up its claim to Kashmir or make an unacceptable compromise and hope to last in power.
- By creating a scare of a nuclear war, Pakistan aims to internationalise the Kashmir issue and involve the USA to pressurise India for a peaceful resolution. However it is aware of India's superior nuclear and conventional capability.
- Through massive infiltrations coinciding with the Wars of 1947-48, 1965 and 1971 Pakistan tried to annex Kashmir but failed. It continued its efforts and launched a proxy war in earnest from 1989 onwards and inducted foreign mercenaries.
- India crushed the militancy and held credible elections achieving commendable public participation resulting in installation of a duly elected government in October, 1996.
- Pakistan then evolved a new strategy of severing Ladakh from J&K by large scale intrusions across the Line of Control. After initial success, this too failed but forced India to commit substantial additional forces.

- Pakistan has kept the pot boiling through foreign mercenaries and "fidayeen" i.e. "suicide squads" to attack security forces' camps.
- Indifference to governance in J&K and loosening grip of security forces of late has resulted in fear psychosis and erosion of public confidence, which needs to be promptly addressed.
- India needs to quickly make up its serious deficiencies of equipment, to strengthen its conventional war capability, ensure survivability against sudden nuclear attack and keep its minimum nuclear deterrent ready to effectively respond to such attack. Meanwhile it should continue with her efforts to hold talks.
- The line of control must be better managed to prevent exfiltration and infiltration.
- The police and Para military forces must be made more effective. There should be greater co-operation and co-ordination between them and in their working with the Army.
- Judiciary must expedite cases of militants in custody. Reformatory education should be imparted to the large number of militants in custody.
- The migrants should be rehabilitated in the Valley at the earliest to ensure that the Valley has a mixed population as it was before.
- Victims of militancy should be promptly provided adequate relief.
- Both the State and the Centre should allow democracy to blossom in Jammu and Kashmir. The media should be effectively used to win the hearts and minds of the people and of the militants .
- Absence of an effective and responsive National Security Organisation has been having a deleterious impact on India's national security. This has often resulted in weak kneed

defensive and reactive responses whenever faced with difficult situations.

- The Expert Committee's comprehensive report on J&K is gathering dust and remains totally ignored.
- The handling of the recent aircraft hijacking incident was unbecoming and an insult to the supreme sacrifices made by the army and air force personnel. The incident has besmirched India's image abroad and emboldened foreign mercenaries, insurgents, militants and terrorists who consider India as a soft state.
- Kargil rejuvenated the national spirit, gave battle experience to the armed forces, though on a small scale and witnessed the entire nation rising in support of the armed forces.
- J&K has suffered severely due to mishandling by politicians at the Centre as well as the State and due to abysmal fiscal indiscipline and indifference to governance by successive J&K governments, resulting in alienation of the local people.
- There is ambivalence in the J&K policy, and a wide gap between the rhetoric and ground realities. The political and administrative will to permanently sort out the J&K problem is lacking. National will needs to be forged, strengthened and expressed politically, diplomatically and militarily.
- J&K challenge requires an integrated political, economic, socio-cultural and technological response.
- The intelligence set ups need coordination and efficient as also prompt exploitation of opportunities that come up. This warrants harnessing of technology for intelligence gathering, its dissemination, co-ordination and utilisation.

CENTRE FOR ADVANCED STRATEGIC STUDIES

SEMINAR ON : CHALLENGES OF J&K

(4th February, 2000)

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