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MUSLIM INDIA, 1996

The reawakening, the stocktaking and the revaluation of the situation by Muslim Indians in 1995 had kindled hopes of political representation, economic development and social progress. The hopes reached a crescendo by mid-1996 with the assumption of power by a secular and professedly minorities friendly coalition government under H.D. Deve Gowda. But these hopes, if they had not been dashed to the ground by the end of the year or brutally falsified, have turned sour with increasing frustration, though not despair.

During 1996, faced with the General Election and the prospect of change of government the Muslim Indians failed to throw up a representative and collective but 'non-political' leadership to guide them through the political maze that the Indian polity represents and the complex political scenario which involves scores of parties, each representing special interest, below a national or nationalist facade, and none with the protection of rights and interests of religious minorities as its special concern!

LEADERSHIP QUESTION

The liberal - secular and elitist establishment promoted and funded from outside the community was unable to dig its roots in the community and provide credible and acceptable guidance. The academicians and intellectuals, make poor physicians; they were divided among themselves both on diagnosis and treatment, each pulled and pushed by their own aspirations and by their patrons.

The Muslim politicians, whichever the party, had lost credibility like all politicians across the board, though they continued to be utilised by their parties as drum-beaters for mobilisation of Muslim support. Some Ulama distanced themselves from politics and sought refuge, as in all crisis situation, in the sanctity of their cloisters and seminaries.

While rejecting traditional leadership and discarding conventional politics in 1996 the Muslim Indians were not creative or united enough to put in their place a coherent strategy for representation in the power structure and an alternative leadership.

Not surprisingly, at the end of the game, after the dust had settled down, they found themselves more under-represented than ever before and represented, if at all, by gangsters, political adventures and confidence tricksters who were embraced by the powers that be.

That they did not respond to the love-calls of the BJP is laudable. But their failure to identify and support a rational, secular and enlightened leadership is equally tragic.

POLITICAL REPRESENTATION

In the General Election 1996, Muslim representation in the Lok Sabha fell to an all-time low. Also in UP Assembly election fewer Muslims were elected. Combined with arbitrary deletion of names from the

electoral rolls and motivated delimitation of constituencies and candidates of non-entities rather than winnable Muslims by major parties even in Muslim concentration constituencies as the sectarian and 'caste' divisions within the Muslim community have led to the Muslims being eased out of the political arena.

Muslim Indians fail to comprehend why, while emergent social groups like the Yadavas, the Kurmis and the Koeris, the Chamars and the Dusadhs, much smaller in population, are calling the tune, while power is visibly shifting from the hands of the Savaranas to those of the Shudras, they are being left out in the cold and losing whatever clout they possessed. The reason is three fold. Firstly, they are unable to practise 'camouflage politics', build and control a political party of their own while keeping its doors open to others in keeping with the law of the land and, therefore, end up by scattering unconditional and sometimes unsolicited support among various secular parties. Secondly, in any Muslim concentration constituency, they tend to cancel themselves out through a multiplicity of candidates, some even sponsored and supported by the hostile forces in a deliberate bid to smooth their own way in. Thirdly, once they support a party across the board, they do not exercise their intelligence to distinguish between its strong and weak candidates at the constituency level and fail to see that they reduce their own representation as well as the number of friendly legislators by supporting weak candidates or by dispersing their votes among a multiplicity of Muslim candidates.

The only effective response to the situation is to evolve a non-political intelligence system which commands credibility and the allegiance of the community to decide, constituency by constituency, the candidate to be supported.

If the under-representation of Muslims in the legislation becomes chronic and endemic, the demand for proportionate reservation in the legislation is bound to gather momentum. Already it is being articulated.

INSTITUTIONAL FRAME

1996 saw no institutional development towards the protection of rights and interests of minorities. The PM's 15-Point Programme remained a dead letter. The compensation scheme for loss of life and property in communal disturbance evolved for the victims of anti-Sikh disturbance of 1984 was not applied to the Muslims. The Wakf Act, 1995, though promulgated, was not brought into force except in one or two States. The Central Wakf Council was not reconstituted. Once again the vested interests began to conspire to dismantle the Punjab Wakf Board into separate State Boards for Haryana, Punjab and Himachal Pradesh, for the convenience of exploitation. Maulana Azad Educational Foundation and the Minorities Finance and Development Corporation made precious little contribution towards

economic or educational uplift of the community. The so-called special Educational Programmes for Muslims under the N.P.E. went unnoticed.

The Minorities Commission has been reconstituted with the eminent Jurist Dr. Tahir Mahmood as Chairman but despite being saddled with a motley assortment of members, the Commission has shown signs of life and dynamism during the brief period he has been in office.

COMMUNAL ENVIRONMENT

The Ministry of Home Affairs has once again established a Minorities Cell to go into minorities problem related to law and order. But the fact remains that though communal violence has abated, Hindu communalism is on the rampage and anti-Islamic and anti-Muslim propaganda goes on unabated. Neither the Home Ministry, nor the State Governments, nor the Minorities Commission, nor the Press Council have taken any effective steps to curb this vicious flow both verbal and written. The social environment remains surcharged with communalism and if poison continues to be injected in the body-politic, that it will erupt some day is a certainty but when, no one can say. Happily there were no serious communal incidents during 1996.

KASHMIR SITUATION

Parliamentary and Assembly elections were held in J&K. Having realised its suicidal boycott of the Lok Sabha poll, National Conference, even though it had nothing new to "offer to the people", entered the fray and registered a landslide victory in the Assembly election. Farooq Abdullah assumed Chief Ministership. However, 1996 came to a close - and time passes fast - without any move towards restoration of autonomy or any respite in militancy. All Parties Hurriyat Conference boycotted both elections and stands marginalised due to its failure to rise to the occasion and its dependence on external support generating charges of corruption. People have seen through the Pakistan game and have rejected the gun culture but they have not developed any love for the Indian Government or affection for Farooq Abdullah, who is behaving in their eyes, more and more as an agent of the Centre. Farooq Abdullah even shies from making his case for autonomy and special relationship to the Indian people, even to Muslim Indians. Indeed there is virtually no emotional or ideological communication between the Muslim Kashmiri and the vast mass of Muslim Indian.

RESERVATION

Reservation in Public Employment and Higher Education was a major issue before the Muslim Indians during the year. Once again, hollow pride and internal differences have robbed the Muslim Indians of an opportunity because the U.P. Government, despite the Left's reluctance, could have been pressed into instituting reservation for the community as a whole, on the ground of backwardness. On one hand, the hostile forces have projected the views of the anti-reservation elements and, on the other, they have revived the 'Caste' factor. It is amazing that the so-called lower caste groups among

Muslims are being persuaded to believe that they have more to gain by categorization alongwith Hindu OBC's or Hindu SC's than with other Muslims. However, the demands of Muslim OBC's and Muslim SC's for separate quota for themselves has a logic of its own but in the absence of Muslim solidarity, it would be an uphill, near impossible, task for them to achieve their demand. The Association for Promotion of Education and Employment of Muslims has correctly reiterated during 1996 its demand for a Muslim quota, based on population and relative backwardness, which should be preferentially available to the eligible candidates from the Muslim sub-communities notified as 'Backward Classes'.

EDUCATION

1996 witnessed increasing attention to educational development. The Talimi Caravan organised by UP Rabita Committee, the A.I. Women's Education Conference in Madras and the All India Conference on Muslim Education, jointly organised by the American Federation of Muslims from India & All India Muslim Education Council in Patna were the highlights of the year. However, what is needed is urgent investment of available resources, scarce as they are, in priority sectors of post-Secondary technical training, higher secondary education, and post-Higher Secondary coaching for competitive examinations and of residential facilities for talented students at district level. Madarsas and Masjids, big and small, continue to have first claim on Muslim charity, apart from Masjids leaving little for 'secular' education! There is increasing need for a rotational fund for financing higher education, particularly in Medicine, Engineering and Management.

AMU passed through another phase of disturbances, deliberately orchestrated by the land mafia. Similar mafia has played a role also in the Jamia Millia Islamia Campus in New Delhi.

All Muslim educational institutions, including the AMU and the JMI are now being forced to introduce reservation for SC's, and ST's. Similar dispensation for the OBC's may not be far in the future. These further limit educational opportunities for Muslims since they do not enjoy any reservation in other universities. In any case, since neither the AMU nor the JMI have been formally recognised as minority educational institutions, Muslims do not enjoy any preference or reservation in admission. Indeed the proportion of Muslim in post-graduate courses which are marketable is steadily going down.

A magnificent development was the passage of the Abul Kalam Azad Urdu University Bill, 1996, but the very low budget allocation for 1996-97 indicates that the University may take years to become functional. Moreover, the Bill does not authorise the University to affiliate Urdu-medium institutions throughout the country or to run the basic degree courses in Arts, Science, Commerce with Urdu as the medium of instruction.

PERSONAL LAW

A major event was the unequivocal statement by the

Union Government before the Supreme Court disclaiming intention to introduce a uniform civil code in haste and its repeated reassurance to the Muslim community in this regard. Another positive development was the rejection of the plea of unconstitutionality against the Muslim personal law raised in Shahnaz Sheikh case.

The All India Muslim Personal Law Board did not show much activity and failed to complete its mandate of codification of Muslim personal law or organisation of effective campaign of social reform, particularly in the field of dowry, divorce and polygamy or expansion of its chain of Dar-ul-Quza.

Some negative developments were the VHP campaign against Mathura Idgah and Varanasi Masjid and the Calcutta HC's ban on use of PA System for Azan.

BABARI MASJID QUESTION

The Muslim psyche wounded by the demolition of the Babari Masjid continued to lick its wounds. Indeed the Muslim voters largely turned away from the Congress because they held P.V. Narasimha Rao responsible for the tragedy. But the UF Govt. merely reopened the old and settled question of transfer of the title suit to the Supreme Court under Article 138(2) of the Constitution and thus divided the Muslim public opinion. It did not show any sense of urgency. The Liberhan Commission of Inquiry was nowhere near completing its allotted task; the farce of criminal prosecution of top RSS-VHP-BJP leaders by the Special CBI Judge continued to be played in full view and even the title suit being heard by the Special Bench of Allahabad H.C. made very slow progress though it began to record evidence. There was no progress in the contempt cases pending before the Supreme Court. The Central Government or the PM failed to give any formal assurance that if the title suit was decided in favour of the Muslim community, the Babari Masjid site shall be transferred to them, without any demur.

MARCH OF HINDUTVA

Following the failure of the BJP to gain an overall majority and form a Hindu Government, first in Delhi and then in Lucknow, the Hindutva forces were struck with confusion, contradiction and dilemmas. Their Mathura and Varanasi agitations failed to enthuse the people. Their campaign for total central ban on slaughter of the cow and its progeny again fizzled out. The BJP thought discretion to be the better part of valour and decided to place the Ram Janmabhoomi question on the backburner and not to associate itself publicly with the Mathura and Varanasi adventures of the VHP. Indeed although Vajpayee headed a 14-day government of the year, as the whole the BJP's inner contradictions were fully exposed during the year. Its claim to be "a party with a difference" fell flat. It turned out to be equally infected with indiscipline and internal bickerings and, what is worse, the Mandal epidemic. The BJP appeared to have recognised that it had reached a plateau and in order to make a quantum jump to power, it has to change its "chal", "Charitra" and "Chehra", as a member of its think-tank put it. That is why the BJP tried to befriend the

regional parties, on one hand, and to cultivate the Muslims and other religious minorities on the other. But as Shakespeare said "Can a leopard change its spots"? But the real engine of Hindutva and the RSS kept generating steam. Hindutva may beat a tactical retreat but its strategic objective remained unchanged - the Hinduisation of the Indian society and polity.

STATE OF THE COMMUNITY

A wide gulf continues to yawn between the Muslim elite and the masses, between the 'modernists' and the 'obscurantist', between the progressives and the conservatives, between the Ulema and the professionals, between the liberal and the orthodox. Perhaps this is true of all Muslim communities all over the world in this age of transition, even in Muslim-majority States. In the intervening space, masquerade all sorts of dubious characters and organisations under false pretences. The Milli 'Parliament's session in Patna and the SIMI's Khilafat campaign launched during the year demonstrated the extremist and unrealistic thinking of the extremists who, constitute a fringe but parade themselves as the holders of the banner of Islam, to lead the Muslims towards a Islamic State, towards the Caliphate. Such a campaign, pitting the State against Islam, trying to reverse the flow of history, generate nothing but antagonism and hostility and is nothing short of being suicidal in a non-Muslim country. Such out-pouring poison the environment and prepare the soil for Hindutva's harvests.

Unfortunately the Muslim Indians have no organisational infrastructure. The All India Muslim Majlis-e-Mushawarat remained dormant throughout the year, it took the President a whole year after the reorganisation of the Markazi Majlis and the election of the office-bearers to form the Working Committee! The AIMMM did not address itself to any major community problem. Unfortunately, the All India Milli Council, the rival forum, also showed signs of decline, particularly, after the General Election in which it gave unqualified support to the National Front or its major constituents like the JD in Bihar or the Samajwadi Party in UP. Jamiatul Ulema-e-Hind and its various factions appeared to have gone to sleep. Jamaat-i-Islami-Hind has been occupied but with internal consultations; however its publication programme has maintained steady rhythm.

TOWARDS 1997 AND BEYOND

Another test of political sagacity may come in not too distant a future. Muslim Indians must set their agenda, the sooner, the better.

* Build up a Non-political Consultative and Guidance Bureau with a nationwide network, with the association of all available experience and skills of relevance, with the representation of all sects and baradaris, of all schools of ideology, from all fields of human endeavour, which would monitor and promote the secular order, while maintaining equidistance from all secular parties, and encourage the formation a Secular Alternative, which should be strong enough to

face the Hindutva Rath when it begins to roll again in the political Mahabharata which will come before the sun sets on the 20th century.

- * Build up a Nationwide network of educational development committees, Societies, Conferences to formulate a practical programme for promoting education at all levels, to make full use of the official programmes, as well as to channelise selectively minority community's own resources, wherever necessary.
- * Launch a campaign of Social reform through codification of personal law and an active campaign against Triple Divorce and Polygamy and for remarriage of divorcees and widows and for the welfare of the aged and the orphans.
- * Organise a Foundation for Economic Development which would supplement availability of funds for self-employment as well as assist entrepreneurs in seeking financial support from government schemes.
- * Participate actively at mass level in all secular political parties and movements whose objective is the establishment of a Just Society which would assure an equitable share in power to all social groups.
- * Develop a Cadre of Workers who would, for the Love of Allah, protect the interest of the community in census operation, revision of electoral rolls, delimitation of Constituencies and wards, adjudication of intra-community disputes, assist the eligible member of the community in securing benefits from government welfare programmes and generally collect and disseminate information of relevance and use to the community.

Not by mutual recrimination but by mutual support and understanding.

Not by waiting for angels to drop from the heaven but by supporting positive initiatives and lighting a candle.

Not by isolation in ghettos but by participation in national endeavours.

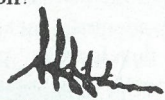
Not by abusing the enemy and cursing the fate or waiting for the deliverer but by assertion of right in dignity.

Not by hostility and rivalry but by cooperation and good neighbourliness.

Not by worrying about their own problems only but by feeling concern with the problems which afflict all the countrymen.

the Muslim Indians can regain value in the political market-place and count in the national transactions, at least as much as the Yadavas, Kurmis and Koeris, or the Chamars and the Dusadhs.

The Muslim Indian has no desire to be the King but why can't be one of the King-nation?



New Delhi,
1 February, 1997

(SYED SHAHABUDDIN)



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Former Cabinet Secretary, Zafar Saifullah's On Rights and Role of Minorities under the Indian Constitution

... The term "Minorities" is commonly regarded as a reference to the Muslim community. This common error needs to be eliminated from the national psyche, as it is an aberration and a distortion... The Constitution itself talks of two broad categories of minorities - "religious minorities" and "linguistic minorities". The "religious minorities" have come to include the five national religious minorities as described by the Government of India. These are, in order of their population, the Muslims, the Christian, the Buddhists (including the neo-Buddhists), the Sikhs and the Parsis.... If one were to move away from the national level, then at the State level some of these communities become either the majority or the largest single community, as, for example, the Muslims in the State of Jammu and Kashmir, the Sikhs in the Punjab, and the Christians in Mizoram, Meghalaya, Goa, etc. The District level and the Taluk, Panchayat and Village levels throw up an even more diverse picture. It, therefore, makes for wisdom and clarity to deal with the national religious minorities... but taking care to see that, wherever necessary, comparable dispensations and considerations are broadly available, *mutatis mutandis*, to other communities where they constitute the minority.

The "Linguistic minorities" are, however, diverse and spread throughout the length and breadth of the country... With the passage of time, the problems of the linguistic minorities, while far from being resolved, have received more balanced attention at the hands of most State Governments, over the last three decades...

The political ascendancy of the Bharatiya Janata Party, the Shiv Sena and other political and non-political organizations subscribing to the "Hindutva" approach; the problems in the Punjab and in some of the North Eastern States; the demolition of the Babari Masjid; the formation of the BJP-led coalition Government after the last general elections; and the main political philosophy subscribed to by the constituents of the present ruling United Front, have all brought the question of the "religious minorities" to the forefront of the country's political agenda. Our focus today, could, therefore, rightly be on (them) and their "rights and role", particularly in the common task of nation-building.

... The minorities are, first and foremost, citizens of this country. It belongs to them as much as it belongs to the rest of the population... Theirs is, therefore, an inalienable right to be in this country; the right to freely breathe of its air and drink of its waters; the right to take pride in its history, its culture, its stupendous achievements; the right to regret its failings and contribute to its growth; and the right to die for its survival. In turn, they like all other citizens ... also have duties and responsibilities, not merely rights... The minorities must never forget their duties and

responsibilities to this country as its citizens, and the others should regard it as part of their sacred duty to unflinchingly respect and enforce the special rights of the minorities under the Indian Constitution, both in letter and in spirit. This alone can bring in that oneness of spirit, national identity and brotherhood which could so strengthen the sinews of this country that it fully and swiftly realizes its potential of ranking among the world's greatest economic and political forces.

The issue of religious minorities and the manner in which it has been dealt with in our Constitution has been influenced by and reflects the traumatic events of the years preceding our independence... The Constitution of India provides for fundamental rights including the rights to security of life, limb and property; to equality before the law and to the equal protection of equal laws; the right to employment, and to educational opportunities without discrimination on grounds of religion, race, caste, language, place of birth etc. These are Articles 14, 15 and 16 of the Constitution. In addition are the special provisions from Articles 25 to 30 which are special rights in favour of the minorities. It includes the right to freedom of conscience and the right to freely profess, practice and propagate their religion (Article 25); the right to manage their religious affairs by establishing and maintaining religious and charitable institutions, owning, acquiring and administering movable and immovable property (Article 26); the right to attend only of his own free will, religious instruction in any institution recognized by the State or receiving State aid (Article 28); the right to conserve their distinct culture, language and script (Article 29); and the right to establish and administer educational institutions of their choice (Article 30). The whole purpose of these provisions is (a) to ensure that the minorities are recognized first and foremost as citizens of this country, as also (b) to ensure that their deep allegiance to their religion, their language, customs and culture is respected, safeguarded and promoted by the entire nation. ... Unfortunately, such has not been the case, and the country, in turn, has suffered as a whole.

... The Report of the High Level Panel on the Minorities, the SCs and the STs which was headed by the redoubtable Dr. Gopal Singh; and the series of Reports compiled annually by the Minorities Commission particularly from 1987-88 onwards, bring out statistically a harsh truth. The dictum of Mrs. Indira Gandhi's 15-Point Programme enunciated on 11.5.1983, was that "care should be taken to see that minorities secure in a fair and adequate measure, the benefits flowing from the various development programmes including the 20-Point Programme". As against this, for example, the largest national religious minority viz., the Muslims, were the

only significant identifiable segment of the population, whose share of the national development cake had actually fallen since independence in respect of their representation in Government services and services in public sector undertakings, especially in their higher echelons; and with each one of the other four religious minorities, their share of credit disbursed by public sector and nationalized banks bore no relation even to their share of the total population, leave alone to their share of the country's population below the poverty line. Indeed, there is strong evidence to show that vis-a-vis other sections of the population, their relative economic status has actually declined over the decades.

... It is futile to suggest that if this represents a negation of the rights of this section of the population, the remedy could be sought through courts. The impracticality, indeed the frivolity, of the suggestion is too obvious for it to merit any consideration... There were some elements who were wont to describe any and every instance of merely doing justice to members of the minority communities ... as "appeasement". Fortunately, the national leadership of even such sections is today at pains to alter this image... This trend needs to be recognized and encouraged by the minority communities themselves.

... Those who still are not reconciled to this entirely nationalist approach to the question (must) realize that their mindset gives - perhaps unwittingly - post facto credence to the two-nation theory... Secularism had been the tradition and the history of this country in Mughal and British India - and even more so in the native States... The country has given itself through its constitutional provisions, an inherently secular character not to appease minority sentiment, but because the majority community decided in its ... wisdom that it should be so. Otherwise, the country could never sustain itself as a political entity. Nothing has happened in the last forty-six years of the Republic's life to warrant a change in this thinking... The need of the hour now, is to implement with utmost sincerity, the letter and spirit of the Constitutional provisions on the subject as also those programmes and policies of successive Governments, which were drawn up with the intention of effecting such implementation. ...

It is not unusual to cite instances of the few individuals from among the various minority communities who have achieved high public office or succeeded conspicuously in their business and industrial enterprises ... as evidence to contend that the minorities have complete equality of opportunity in the country and are not discriminated against in any sphere of national endeavour. It is a misleading approach. When Lord Mountbatten, the then Viceroy and later Governor-general of India, queried Dr. Ambedkar on the need for the constitutional safeguards being incorporated by him in India's draft Constitution, he replied that what is needed is not one Dr. Ambedkar but hundreds and hundreds of them in various walks of life and that cannot

happen without such constitutional support. In respect of the religious minorities also, the problem is to secure an all-pervasive sense of fair play and justice to ensure for the average family and those below the poverty line, ungrudgingly and without hassles their fair and adequate share of admissions to educational institutions; of jobs in public and quasi-public services at all levels; credit and other benefits as available to other similarly placed citizens for self-employment; etc. That cannot happen unless down-the-line and across-the-board, the system - indeed, our entire society - develops an attitude of understanding and empathy for resolving the educational, skill upgradation, health and economic well being concerns of the minorities. I would regard employment levels recorded from time to time, of persons from minority communities obtaining in the private sector, as the acid test of the extent we have succeeded in this direction. The extent to which the problem exists in various minority communities is not known widely enough in the country. This could be one reason for the indifference of other sections of our society... If we attempt to brush under the carpet the stark reality of the magnitude of this problem or ignore its potentially explosive nature, quite apart from the question of equity and human rights, we will be exposing ourselves to the most serious danger of internal inequity leading to internal instability and discord. This can become the most serious impediment to national growth and economic well-being.

... Where should the exercise to amend this trend of neglect and unconcern begin? To my mind, the answer is obvious. Its positive aspect of enabling actual individuals and families to overcome their handicap must come from within these communities themselves. But this effort will face several handicaps and limitations, unless it is accompanied by an attitudinal change in the minds of the other communities. They must recognize its resolution as a national concern of the highest priority and a crucial and integral part of their duties and responsibilities as citizens of the same country. A strong citizen, whatever his community, is an asset to the country; a weak one, a liability. There should be no hesitation in any quarter in extending all the support needed by the average family and the poor families among these communities to secure their "fair and adequate share" of the national cake and become assets, contributing their strength to national prosperity.

We must address ourselves in this context to the issue of reservations. These come into play mainly in regard to securing admissions to educational institutions and to appointments in public and quasi-public services. One can readily see that both these issues are related to the stage of our country's economic development. No one disagrees that this is best ensured in a national environment of social harmony and stability. If we sincerely address ourselves to the problems faced by the minority communities, we will be contributing

**NCAER: Human Development Profile of Rural India, 1994:
Selected Indicators for Population Groups**

	Religion					Caste		
	India	Hindu	Muslim	Christian	Other Minori- ties	SC	ST	Other Hindus (including OBC's)
1. Per Capita Income (Rs. per Year	4485	4514	3678	5920	5427	3505	3237	5113
2. Wage Earning Households*	27	27	24	32	25	31	47	18
3. Adult Wage Earners as a Per cent of Total Adult Earners	38	38	31	43	33	55	58	28
4. Population Below Poverty Line (%)	39	39	43	27	34	51	50	32
5. Capability Poverty Measure (CPM)(%)**	52	48	56	26	47	60	68	49
6. Literacy Rate (7+ years)	54	53	49	81	54	39	42	59
7. Ever Enrolment Rate (6-14 Yrs)	71	72	62	91	91	79	60	63
Proportion of Total Household Income Spent on:								
8. Education	2.7	2.6	2.7	3.1	3.5	2.6	2.9	2.5
9. Health	5.3	5.1	6.6	5.7	5.3	4.9	7.0	4.8
Households using Facilities (Percent)								
10. Electricity	43	43	30	60	61	30	31	50
11. Piped Water	25	25	19	28	21	17	23	28
12. Public Distribution System	33	34	22	66	16	38	32	34

* Refers to households which have reported more than 50% of their total income as wages.

** CPM is a simple average of percentage of births unattended by trained health personnel, percentage of stunted children and female illiteracy rate.

enormously to communal harmony and national integration making for socio-political stability. This will enable us to advance much more rapidly in our economic development endeavours. We shall then be able, on the one hand, to open many more educational institutions including those for technical and professional training and skill-upgradation, narrowing the gap between demand for sets and their availability; and, on the other, to provide much wider opportunities for employment and self-employment. The whole issue of reservations will lose its meaning as we near a situation of full employment. Recognizing its essentially short-term nature and the contribution to accelerating economic growth that social harmony and stability can make, an enlightened consensus on the question of reservations would appear to be not only mandated but feasible.

... To revert to the constitutional question, it is my belief that the constitutional provisions in this regard need to be liberally interpreted. But if any such issue is seen to persist, then it is reasonable to expect that for securing such an important national goal, the Constitution could be appropriately amended. Indeed, the very factum

of such an amendment, when effected, will be a resounding affirmation of national political will to resolve this problem in the shortest time possible.

The role of each of the minority communities in nation-building has been significant, even extraordinary, over the last several centuries. Whether in architecture, in arts, in culture, in science, in literature, in spiritual enlightenment, in the inculcation of exemplary moral and national values, in the defence of the motherland, in administration, in the civil services, in sport - their contribution is much too well-known. Indeed ... it is a pity that we have not used the electronic media to put together what could be one of the most fascinating audio-visual experiences - a presentation of the contribution of each of the minority communities to the brilliant, multi-ethnic mosaic that is our country. Their future contribution can be even more, if the proper environment of genuine empathy and understanding is generated among all the communities which comprise our society. Events seem to have brought this today closer to realization than at any time during the past few decades.

Parliamentary Proceedings

179th Session - 20 November - 20 December, 1996

I - Rajya Sabha

New Members:

- 26 Nov : Md. Azam Khan, UP, SP.
- 27 Nov : Saifuddin Soz, J&K, NC
- 2 Dec : Ghulam Nabi Azad, J&K, Congress
- : Sharifuddin Shariq, J&K, NC
- : Wasim Ahmad, UP (JD).
- 3 Dec : Khan Ghufuran Zaidi, UP (Congress)

Reference:

- 16 Dec : 25th anniversary of liberation of Bangladesh.

Papers Tabled:

- 13 Dec : Annual Report of Jamia Millia Islamia for 1994-95.
- 20 Dec : Annual Report of Sangeet Natak Akademi for 1994-95.
- : Annual Report of International Institute for Population Studies for 1995-96.
- : Annual Report of the Aligarh Muslim University for 1994-95.

Special Mention:

- 28 Nov : By S. Nirupan on Treatment of Indian Diplomats in Pakistan.
- : By K.R. Malkani on Film Machis.

Government Bills:

- 26-27 : Maulana Azad National Urdu University Bill. Considered and
- Nov : passed. Participants include Sikander Bakhta (BJP), Rahman Khan (Cong), Obaidullah Khan Azmi (JD), Jalaluddin Ansari (CPI), M.P.A. Samadani (IUML).

Statutory Resolution:

- 4-5 Dec : On Promulgation of President's Rule in UP on 17 Oct. Moved, discussed and adopted. Wasim Ahmad, J. Ansari, S.S. Razi, Masud Khan; K.G. Zaidi, M.O.K. Azmi participate.

Government Statements:

- 27 Nov & : By Foreign Minister I.K. Gujral on situation in Afghanistan.
- 6 Dec : By Civil Aviation Minister C.M. Ibrahim on Collision between Saudia and Kazakh air crafts on 12 November in Delhi. Clarification given (6 Dec).
- 12 Dec : By Foreign Minister Gujral on Indo-Bangladesh Ganges Water Treaty, 1996.

Private Member's Resolution:

- 29 Nov : Resolution on Compulsory Primary Education moved by (Mrs.) A.J. Patel. S. Soz participates.

Private Member's Bill:

- 6 Dec : The Prohibition of Religious, Communal and Sectoral Political Parties and Senas Bill, 1996, introduced by G. Das Gupta, CPM.

II - Lok Sabha

Obituary:

- 20 Nov : Ansar Harvani(UP), Halimuddin Ahmed (Bihar)
- 6 Dec : K.J. Abbasi (UP).

Reference:

- 20 Nov : By Speaker to air collision between Saudi and Kazakh aircrafts on 12 Nov.
- 16 Dec : By Speaker to 25th Anniversary of Liberation of Bangladesh.

Papers Tabled:

- 3-4 Dec : Annual Report of the Central Council for Research in Unani Medicine for 1994-95.
- 20 Dec : Annual Report of Commissioner for Linguistic Minorities for 1991-92.
- : A.R. of NCERT for 1995-96.
- : A.R. of All India Council for Technical Education for 1994-95.

Statutory Resolutions:

- 3-5 Dec : On President's Rule in UP. Moved by Home Minister, discussed and adopted. Noor Bano (Cong), Ilyas Azmi (BSP), G.M. Banatwalla (IUML), Mukhtar Anis (SP) participate.

Government Bill:

- 1-12 & : Maulana Azad National Urdu University Bill,
- 16-17 : 1996 moved, discussed and adopted. S. Maudul Hossain (CPM), G.M. Banatwalla (IUML), Q. Islam (JD), Ilyas Azmi (BSP), S.R. Burq (SP) participate.

Calling Attention:

- 27 Nov : Of Minister of Civil Aviation by George Fernandes to air disaster of November 12.

Special Mention:

- 3 Dec : On reservation for minorities by G.M. Banatwalla (IUML).
- 4 Dec : On Economic Package for J&K by Mangat Ram Sharma.
- 10 Dec : On Right to work by Mamata Banerjee (Cong.)
- 18 Dec : On establishment of Education Development Bank by P.D. Chavan (Cong).
- 19 Dec : On espionage activities in border areas of Bihar by R.M. Singh.

Private Member's Bills:

- 22 Nov : Introduced. The Ban on Cow Slaughter Bill, 1996 by K. Rana (BJP).
- 20 Dec : The Education Bank of India Bill, 1996 by Chitta Basu (FB).
- : The Compulsory Voting Bill, 1996 by T.S. Reddy
- : The Abolition of Begging Bill by T.S. Reddy.
- : The Population Control Bill, 1996 & Uniform Marriage & Divorce Bill, 1996 - B.S. Rawat.
- 22 Nov : The Compulsory Education Bill, 1996
- 20 DEC : introduced by T.S. Reddy, discussed & withdrawn.

Private Member's Resolution:

- 13 Dec : On Illegal Immigration moved by J.V.S. Drona.

Nikhil Chakravartty on Congress' Quest of Power

... In the last seven months ... the HD Deve Gowda Government has demonstrated that, as far as inaction is concerned, it can beat the previous Narasimha Rao Government hollow.

... What is missing in Deve Gowda is a sense of direction, of purpose, of a drive to assure the public that there is a Government engaged in functioning and not just one that is drifting all the time. Deve Gowda does not have the mettle that can make a Prime Minister out of a provincial satrap. He has provided no leadership to his Government, much less to the public.

In his official stance - or even in non-official encounters with him - Deve Gowda presents a sorry spectacle of one who can hardly contribute anything by way of either political understanding or practical horse-sense to politics and governance. Tenacity is the watchword with the Prime Minister... It is difficult for any observer or commentator to escape the strong impression that he is thoroughly incapable of holding the important charge... Deve Gowda has to thank his stars for having been extraordinarily fortunate to come into an eminence which he hardly deserves - neither by competence nor by wisdom. There is no department of governance in which he can claim to have left a mark... The United Front leaders have to take the responsibility for having foisted on the country a Prime Minister who they certainly do not deserve.

These are hard words, but politics is a hard task-master. No Prime Minister has had so little to show by way of contribution to the governance of the nation when so much was called for. Deve Gowda's sense of proportion seems to be ill-at-ease with the office he holds. That is why, for instance, he has not been able to convince the people about the mistake of his tete-a-tete with Bal Thackeray when his party and Government claim to be combating communalism.

With the Prime Minister as a negative factor, it is not surprising that the United Front Government has contributed little... There have been important areas of advancement... but the credit for each one of such successes has to go to the minister concerned... For instance, External Affairs is one such Ministry, but for that Foreign Minister IK Gujral and his team deserve all the credit... A Prime Minister (cannot) survive for long basking in the reflected glory of one of his mistakes.

Apology of Governance

The leaders of the United Front owe an explanation to the people ... as to what made them foist such a total misfit into the office of the Prime Minister... The need of the hour was the setting up of a Government politically strong and organisationally well-knit...

... The United Front leaders should have applied their minds more seriously in working out a politically identifiable leadership and organisationally a unified

establishment to run the Government. Instead, the leaders of the United Front have depended on a common minimum programme which by itself could never have been a guide for the day-to-day functioning of any Government. The Government was supposed to be guided by a steering committee, but its meetings have been few and far between... Choice of a Prime Minister bereft of leadership qualities has brought the Government much ridicule.

To expect such a Government to survive is to expect a hopelessly doomed patient to bounce out of the intensive care unit. Day after day, week after week, the Government is confronted with more and more intractable complications with less and less capacity to solve any. Also, it is ... other liabilities as well that the United Front has to shoulder. Conspicuous in the list in the position ...

Janata Dal's acting president and Chief Minister of Bihar, Laloo Prasad Yadav. Mr. Yadav has by now amply demonstrated that he deserves every bit of the notoriety that he has earned with his thorough incompetence... Investigations into the multi-crore corruption in the Animal Husbandry Department has revealed how a scam has been nourished by his Government. With the Chief Minister now having faced the CBI grilling over this scandal, there is little doubt that Yadav's days in the Chief Minister's office are numbered. The Bihar case has once again proved that corruption and maladministration often to go hand-in-hand.

Viewed in this background, the recent excitement within the Congress ... is not in the least surprising... The Congress leadership is now getting ready for the opportunity to return to power. It is amazing how, despite all the scandalous cases of corruption in which some of its leaders have been caught and implicated, the Congress party members are not at all down and out (and) are nurturing hopes of early return to power - preferably without the ordeal of a general election. They would not mind even joining Deve Gowda to begin with, if necessary. And once the camel enters the tent, the Congress will wield the whip...

(Source: The Pioneer, 9 January, 1997)

(Contd. from page 78)

in ... Indian cities. While most boys 'drop out early to assist fathers in continuing ancestral occupations or taking self-employment, Muslim girls ascend the ladder of learning. Infact this has rendered the match-making an arduous task in most cities. These and several other gender-specific issues will need to be considered...

... The demand for the Muslim Women's University ... going by the inadequate number of feeder institutions ... must wait some years before actual realisation.

Sandhya Jain on Kesri's Ideological Quest

... Sitaram Kesri's ... frenzied search for a consensus to get him the post and concentrate power in his person while simultaneously seeking to revive the Nehru-Gandhi legacy ... is a classic case of political schizophrenia. ...

Congressmen realise that an ideological vacuum is gnawing the party... They are unable to face up to the fact that the country's socio-economic-political environment has been so transformed since the days when ... Nehru ruled the roost with his socialism-secularism-non-alignment blueprint, that all the king's horses cannot restore the pre-eminence of the Nehruvian framework. And in the absence of a viable ideology, the Congress cannot come back at the Centre.

... Charisma is no substitute for the loss of a viable ideology and sustainable vote-bank... The party made its decisive break with socialism under Rajiv Gandhi... Rao as the Prime Minister merely furthered the liberalisation process.

Similarly, ... Rajiv Gandhi ... turned secularism on its head. Jawaharlal Nehru's concept involved remaining aloof from intra-Hindu conflicts, non-interference in minority affairs, and patronage of minorities and depressed sections. Indira Gandhi followed the prescription, though electoral compulsions after 1977 gave her brand of secularism a pro-minority.... Rajiv Gandhi... jumped headlong into the most explosive intra-Muslim and Hindu-Muslim conflicts of our times - the Shah Bano and the Ram Janmabhoomi issues. Both interventions were clumsy and ill-advised...

On the Ram Janmabhoomi issue, he ... dithered so badly between the need to come to terms with "ram Rajya" and the desire for a purely non-religious modernism, that he alienated aroused Hindus on the one hand and Muslims and anti-religious or non-religious Hindus on the other. In the end he was simply swamped by the "Ram wave"

That leaves us with non-alignment. Here Rajiv Gandhi is not guilty; international winds of change caused it to wither away

Rao tried to cover up the ideological vacuum by making pragmatism and consensus the organising principles of his Government, and seeking accommodation with all opposition parties, including the BJP. It was a faultless strategy, and the BJP's responsiveness made it a considerable success. For a while it seemed that contentious issues like the reconstruction of the Ram mandir would be put on the backburner.

Rao ... did not have the gumption to declare the (Congress) emperor naked (of ideology) and present the party with an alternate, and perhaps viable, socio-economic-political framework. The result was that ... called off the successful "tacit alliance" with the BJP, with consequences that are there for anyone to see.

However, unpalatable this may be to Congressmen

today, the fact remains that the Kesri-Sonia Gandhi duo has singularly failed to address itself to the critical issues of ideology-based and votebank. On the contrary Kesri has continued Rajiv Gandhi's policy of turning the Nehruvian ideology on its head and rushing in where angels fear to tread.

Mr. Kesri's espousal of job reservations for minorities, which even sections of the Muslims view as a dubious gain, is a classic instance of communal intervention on the side of obscurantist and reactionary forces. Similarly, his excessive championing of Dalits and backward castes cannot but increase upper caste reservations against the party.

So can the Congress under Kesri legitimately stake claim to a Nehru-Gandhi legacy, even with the blessings of Sonia Gandhi? The answer must be: Nehru, no; Gandhi, yes. This brings us back to the central issue, that Congress can no longer avoid fashioning an ideology in consonance with its current (and projected) social base... Rao, who could once line up the entire south behind him, may yet have the last laugh.

(Source: The Pioneer, 11 January, 1997)

It's Kesri Congress

Editorial, The Indian Express, 10 January, 1997

The Congressmen are living up to their tradition of finding all the virtues in their leader. The decision of the Congress Working Committee to favour party chief Sitaram Kesri as the consensus nominee for the post of president of the Congress Parliamentary Party conforms to this trait... All the Chanakyan strategies of Rao to have someone of his choice as the CPP leader seem to have come to naught... The strong support he received from the CWC members marks the coming of age of Kesri's leadership.

... For the present, the leadership of the CPP is of little real consequence. What makes it attractive is that in the event of cataclysmic political changes forcing the President to give the Congress a chance, it will be Kesri who alone will get the presidential invitation... The UF Government will have to pay him greater attention than has been the case so far...

Call it the triumph of his manipulative pontics or whatever, Kesri has proved wrong all those who believed that he was merely keeping the seat of Congress president warm... It is a remarkable achievement in realpolitik. His ability to manage contradictions as proved in the successful handling of the Mandal issue... will certainly stand in good stead. But to exploit such talent with greater benefit, he will first have to gain control of the lovers of power. Needless to say, it means reviving the moribund party, which in the popular perception has become a by-word for corruption....

National Press on Kesri's Emergence as Leader of Congress

Kesri Does It

Editorial, The Hindustan Times, 4 January, 1997

... Sitaram Kesri is perhaps the first Congress president who seemed to be a too much of a hurry to become a self-anointed leader. (His) election without a contest ... cannot properly be called a choice of consensus. At the same time it is undeniable that in the event of a contest (he) would have won by an overwhelming majority.... Congressmen instinctively prefer consensus to open contest... The Congress proves the Wodehousian dictum that while the hour produces the man, it also exposes the washouts. ... Any role that the Congress may want to play in shaping the nation's politics would demand from the party a large measure of cohesion and clear-sightedness. One of the major issues ... will be to lend clarity to its relations with the ruling UF... The Congress commitment to support the government from outside has by now become conditional... Long-term planning for ... the party is preferable to short-term governance. The election to the CPP leadership of Mr. Kesri is at once an opportunity and a trap.

Kesri may not Rest on Laurels

Editorial, The Pioneer, 10 January, 1997

... The ease with which Mr. Kesri has triumphed over his rivals once again underlines the distaste of Congressmen for any kind of contest for the top slot and their aversion to more than one power centre within the party.... While the ascendance of Mr. Kesri as the undisputed leader of the Congress has turned out to be a tame affair, the implications of the changes in the party are nevertheless likely to be sweeping. Having won the sweepstakes within the Congress... The rise of Mr. Kesri ... is likely to be followed almost inevitably by heightened sniping at the minority UF regime by Congressmen... Kesri ... would be tempted to pull the rug from under Deve Gowda's feet sooner rather than later. The accompanying political drama promises to be more engaging...

Vidya Subrahmaniam

On the Kesri Phenomenon

... One man and one post is exactly the kind of issue that Kesri's future critics can be expected to rake up...

Kesri and Pawar have different agendas. Mr. Kesri gives the impression of wanting to dig in his heels and working for the Congress's revival. Pawar is clearly a man in a hurry. His supporters are not even trying to hide their impatience to participate in governance, either by themselves or in a coalition set-up. This shortcut cannot help the Congress, which needs to be attended to with patience. If it is a fact that its decline started in the '80s with the loss of its base to religion and caste-specific parties, a patchwork arrangement will only worsen the malady.... (Source: The Times of India, 10 January, 1997)

Zafar Agha and Harinder Baweja

On Kesri's Assault on UF Government

From the ramparts of the Congress headquarters at 24, Akbar Road, the call to battle has been sounded. Once proud, once victorious, the Congress had begun to resemble a retreating army, almost resigned - through its ineptness - to defeat. Its soldiers lethargic, its leader Narasimha Rao, reclusive, and its direction unsure. Till Sitaram Kesri, fitted into the general's jacket, decided it was time to marshal his forces...

Kesri has worked wonders - in not only shaking up the Congress, but also giving the United Front (UF) Government some anxious moments.

The speed with which the 80-year-old Kesri has made his moves - aimed at capturing the party headquarters first, and perhaps the government itself later - has stunned everyone...

The assault by Kesri has come at a time when the BJP, the single-largest party, is beset with internal problems and the UF remains a fragile coalition. What Kesri has managed to do is bring the Congress back to the political centrestage, a remarkable achievement, considering that it only recently received its worst ever electoral drubbing and several of its former ministers have been charged with corruption.

Kesri has his vulnerabilities - having only stood once for a Lok Sabha election, he has usually entered Parliament through the Rajya Sabha. All his political life, he has been a backroom operator, or at best a loyal lieutenant. Never able to build a base of his own, he learnt to survive by just one credo: to be at the right place at the right time. And at a time when the Congress' chances of winning an election are remote, he has given the party hope. The first results of Kesri's damage-control operations are already in evidence. A sterner test awaits him in February when the Congress tries to retain its government in Punjab. At the moment that looks unlikely. But after five years of Rao, Kesri has at least proved that a general who leads from the front rarely fails to rally the troops behind him.

(Source: The India Today, 31 December, 1996)

National Committee for Celebration of Birth Centenary of

Netaji Subhash Chandra Bose

Names of Muslim Members:

1. C.M. Ibrahim, Minister, Government of India
2. Mohammed Shafi Qureshi, Governor, M.P
3. A.R. Kidwai, Governor, Bihar.
4. Farooq Abdullah, Chief Minister, J&K
5. Najma Heptulla, Dy. Chairman, Rajya Sabha
6. Sikander Bakht, M.P.
7. Syed Shahabuddin, ex-M.P.

Surendra Mohan on the BJP's Suicidal Strategy

The zigzags of the BJP's political line would baffle anyone including its staunchest supporters. The flexibility of manoeuvre it has displayed in moving from the core agenda of Hindutva to moderation and back is an indication of its confusions rather than its suppleness. In 1994, when it was preparing for assembly elections in six states it opted for the three point programme of probity in public life, national security and self-reliance or Swadeshi... However, it could not resist politicising the communally sensitive abattoir and Idgah issues. It made much of the infiltration of Bangladeshis in Mumbai and sought the deletion of names of hundreds of thousands of voters of the minority community from the electoral rolls of that city.

In 1995, it raised the Mathura and Kashi issues while simultaneously targeting ... corruption... The BJP's bitterest moment came when its government found itself almost totally isolated in the national political scene... It did everything possible to break that isolation, offered a very moderate programme in the President's address...

Hindutva Commitment

But, as its government was forced to submit its resignation, it went back on these pronouncements. In his speech in reply to the motion of confidence, even the moderate Vajpayee ... pointed out that the President's address was an enunciation of the BJP's policy in a situation when it formed a minority government. Otherwise, it continued to be committed to the full agenda of Hindutva, and that whenever it returned to power on its own, it will pursue that agenda.

... The party decided to woo the regional parties once again... The strategy was clear; every effort must be made to occupy the middle ground once occupied by the Congress. Once again, the pre-election mood of 1994 and 1995 came back.

It was as part of this strategy that the BJP went slow on Hindutva in the UP elections. Indeed, it adopted a policy of social engineering... The party gave more tickets to the OBCs.

But once again it failed... (and) fell far short of majority... The BJP also failed to repeat the 1995 experiment when it had installed the BSP into power... Social engineering was ... strongly challenged and a section argued that if the selection of candidates had reflected the composition of the party's support base, that is, largely forward castes, then the results would have been more favourable.

... The disappointments that the BJP suffered in UP and Gujarat have renewed all the controversies. This tension was best reflected in Parliament on December 6 when the MPs of the party raised all the Hindutva-linked

slogans relating to Mathura, Kashi and Ayodhya, and the imperative of chanting Vande Mataram. One of the members, Ms. Uma Bharati, even pleaded that the demolition of the Babari Masjid be observed as a national holiday... Vajpayee, however absented himself on this occasion.

All the talk of moderation and of occupying the middle space just disappeared into thin air, and the thought of breaking the isolation which had cost the party its government at the Centre was also buried deep under he slogans....

(Source: The Times of India, 17 December, 1996)

Mohit Sen

On State and Hindu Communalism

... Parochialism, sectionalism and fragmentation are incompatible with democracy. The universality of democracy has over the decades of its existence been found to consist, above all, of civil liberties and the reduction of disparities...

The BJP has ... sinned against the universality of democracy and been punished for it most recent in Uttar Pradesh. The campaign for the Ram Janmabhoomi temple was said to be the building of a new nationalism. It was to be nationalism emerging from civil society and from the very soil of our country as opposed to what was said to be the state-sponsored so-called secular nationalism imposed from above by Nehru and his heirs.

In practice and in theory, however, this so-called new nationalism was based on disparity, on the denial of the equal right of all Indians. The Hindus who believed in the RSS version of Hindutva were obviously to be the new guardians of the temple of India, deciding on who should be admitted into the sanctum sanctorum.

This somewhat hidden denial of the universality of democracy led in Uttar Pradesh and will continue to lead there and elsewhere to democracy denying the BJP the ultimate prize of power. This denial cannot be done away with the verbal insistence that Hindutva is for all Indians and that the BJP is not all that different from the Congress. Such insistence only leads to the question being asked as to why in that case the original and actual Congress should not be preferred...

Either the BJP should renounce its presently proclaimed faith in the Parliamentary process and revert to winning through extra-constitutional means or it should attempt to become a party of conservative right-wing nationalism... The BJP should shed its communalism. Whether (it) will survive this mutation is a moot question but there is no other option for it...

(Source: The Indian Express, 19 November, 1996)

Saeed Naqvi on BJP Formulating Survival Strategy

... That the BJP minority Government remained in place at the Centre for 13 days but could not attract members from other parties is generally cited as evidence of the BJP's declining appeal.

... The surface view would suggest that the BJP has receded... The panic which gripped all the UF parties soon after the general election has given way to a degree of relaxation. (which) itself is a source of instability. The saffron threat is no longer the glue that keeps the UF together. But if the UF is together, and intends to be together, the rationale for this togetherness must be different. One reason is straightforward. The factor of power provides cohesion. But if power can be ensured even by juggling around with the cast, the altered scenario might not be unacceptable to the constituents, particularly if gains can be promised to individuals... The CPI(M) would be willing to support from the outside a Government of which even the Congress is a part... The recession of the BJP serves against the interests of those Congressmen who wish to get into power instantly. ...

... The CPI(M) is an influential member of the UF steering committee and to that extent party to every action of the UF... Had the BJP loomed as large today as it did some months ago all this theorising... on relations with the Congress, would have had a lower decibel level.

In the current political discussion there are two popular misperceptions. One, that a federal India has taken shape; and, two, that the BJP cannot arrest its decline. Neither is a federal India a confirmed reality nor is the BJP in irreversible decline. Both these situations are very much possible but complacency on both counts would be misplaced.

There is some validity in the impression that the parties that constitute the UF are regional forces. But ... the only truly regional party ... is the DMK... a force in Tamil Nadu since the 1960s. Telugu Desam's credentials as an unshakable regional force are suspect... A Congress under Sitaram Kesri, which can attract the minorities and exploit the pro-Khamma image of Naidu's outfit, could stage a comeback.

In Karnataka, the Janata Dal is by definition a national party with a strong regional bias. To the extent that Laloo Prasad Yadav, the party president, has no say whatsoever in its affairs. Bangarappa ... has been reinducted into the party by Kesri. This one fact alone will make a material difference ... in the next elections.

Likewise, the CPI(M) is a national party with a strong base in West Bengal and Kerala and its primary contest in both the states is with the Congress.

What surfaces in bold relief, therefore, is a temporary unity between all these national and regional parties in the face of a perceived BJP threat. In the absence of this threat most of these parties are in conflict with the Congress in their respective states. This contradiction cannot be glossed over. It has to be resolved. And this

resolution will be an evolutionary process.

Over a period of time there will have to be a clearer division between national and regional parties. Step by step, bargains will have to be struck...

It is for this coalition gameplan that the BJP must prepare itself. It has a solid support-base which is not elastic. It will only become elastic if it sheds its anti-Muslim baggage and addresses itself to the civilizational unity within which various religions, cultures and languages thrive. The nosedive can be arrested. An altered and a refined BJP has a legitimate role. If so much of national politics is conducted vis-a-vis the BJP, who says the party is finished?

(Source: The Pioneer, 12 January, 1997)

(Contd. from page 96)

responsibility.

Communal Violence: *Communal clash in Meerut, 15 injured.

*Communal clash in Jawala, Rajasthan, 1 killed (22 Dec).

*Muslim side alleges Police inaction and negligence during Mumbai riots before Sri Krishna Commission.

Hindu Chauvinism: *RSS and BJP launch campaign in Aligarh to rename it as Harigarh (25 Dec). Government of Delhi officially celebrates 136th birth anniversary of Madan Mohan Malaviya.

Indo-Israel Relations: *Israeli President Weizman's visit and increasing level of cooperation between India and Israel criticised because of continued occupation of Jerusalem and Arab Territories. Libya criticises visit. Pakistan expresses 'misgivings'.

Muslim Leadership: *CM Ibrahim suffers in prestige due to defeat of sponsored candidates in elections to Anjuman-e-Islam, Hubli., younger brother's arrest on criminal charges and his own ill-advised entry into cockpit while in air. *CBI files criminal charge of disproportionate assets against former Railway Minister Jaffer Sharief (10 Jan). *Delhi High Court declines to drop sedition case pending against Abdullah Bukhari (14 Jan).

Commemoration: *69th death anniversary of Hakim Ajmal Khan observed by Memorial Society (26 Dec). *66th death anniversary of Maulana Mohammad Ali observed by Memorial Society (4 Jan). *199th birth anniversary of Ghalib observed by Ghalib Academy (29 Dec). *Education Minister Bommai informs Parliament plans to observe birth centenary of Ghalib (16 Dec).

Obituary: *IUML leader AKM Hasan-uz-Zaman, 58, passes away in Calcutta (17 Dec). *Eminent writer and freedom fighter Shujaat Ali Sandelvi, 72, passes away (22 Dec).

Muslim World: OIC: *Foreign Ministers Meeting in Jakarta adopts resolution on Kashmir and situation of Muslim minority.

Pakistan: *Elections in Pakistan rouse interest. Imran Khan generally considered as pro-West and sponsored by Jewish lobby. *Foreign Minister Gujral reiterates offer of resumption of dialogue at official level. Discusses with visiting Pakistan Foreign Minister Yakub Khan various possibilities of improving relations bilaterally and within SAARC framework. India offers sub-regional economic cooperation to Pakistan (20 Dec).

Malaysia: *PM Mahathir Mohammad receives Jawaharlal Nehru Award for International Understanding for 1994. (20 Dec).

USA: *US President Clinton describes India as a model of pluralism (12 Dec).

S. Rajagopalan

On BJP, 1996

For the BJP, the year 1996 has been one of missed opportunities and baffling paradoxes. Never before had it been haunted by the "so near, yet so far" syndrome. On both the occasions that it opted to have a crack at Government formation (first at the Centre and then in UP), the party's plans went awry.

Veritably, the peaks and the troughs have alternated to make 1996 a tantalising year for the BJP. Consider the paradox. At the popular level, it recorded impressive gains to emerge as the single largest party in a hung Parliament. Yet, in practical terms, all this proved to be of little avail when all the other major political parties shunned it like the plague. So much so, when the chips were down, the BJP had to make an ignominious exist after having been in office for an all-too-brief 13 days. That was in May 1996. By October, history repeated itself for the party in UP. This time round, its predicament was worse. Much to its chagrin, the Governor's invitation was not forthcoming despite its emergence as the single largest party. These reserves apart, the BJP also botched up its cards and lost Gujarat, a State which it had won by a landslide just the previous year... It miserably failed to keep its flock together.

To begin with, 1996 had commenced on a rather ominous note for the BJP. For no less a person than its president L.K. Advani, was among the top political leaders to be arraigned in the Jain hawala case. It was a time when the party was trying to put its best foot forward in the run-up to the Lok Sabha polls... The BJP all but lost a major campaign issue: corruption in high places...

More than the loss of one State, Gujarat dealt a bodyblow to the BJP's assiduously-cultivated image as "a party with a difference". To a certain extent, the Gujarat fallout was behind the BJP's failure to come close to the half-way mark in the Lok Sabha polls. Even though the overall tally was the party's best till date, it fell considerably short of expectations. An even more distressing aspect was that the Gujarat disease seemed to catch on in other BJP strongholds like Rajasthan, MP and Delhi in varying degrees. Mercifully for the party, the developments did not go out of hand in these centres...

If the party's dream went sour after its failed experiment at Government formation at the Centre, the UP experience has been all the more bitter. Even as 1996 draws to a close, there is still no light at the end of the tunnel... Kanshi Ram's BSP (with just a third of the BJP's strength in the UP Assembly) is dictating terms to the later.

The unclear verdict once again exposed the BJP's Achilles' heel. That is, no other party willing for a tie-up with it. The one exception was the BSP after having burnt its bridges with the UF. Even that, too, on terms which the BJP would find hard to agree upon, given the deep dissatisfaction ... of its ranks in UP. On the national plane, from day one of the UF Government, the BJP held fast to the view that this "13-legged animal" would not live to see the end of 1996. But Mr. Deve Gowda proved all his detractors wrong...

On BJP Groping in the Dark

From "a party with a difference" to "a party with differences". That catchy, even if a trifle uncharitable, label has come to stick on the BJP's visage...

That Gujarat has done incalculable harm to the BJP's image on the national plane is something readily acknowledged by party leaders... In a sense, the BJP's failure to turn up trumps in the 1996 Lok Sabha polls is attributed in good measure to the Gujarat syndrome.

... The BJP ... has kept up the old refrain by attributing the problem of indiscipline to the party's "sudden and rapid growth over the past decade". While the growth has undeniably been exponential, blaming the growth factor for the breakdown of discipline may not be fully valid...

The year 1997 is crucial to the BJP, not just because the party expects a mid-term poll "anytime" this year. Another dimension will be provided by the party's own presidential elections... Discipline, however, is not the BJP's only concern. Perhaps, a far more worrisome aspect is the party's isolation owing to the "political untouchability" being practised by the other political parties. The latter have attributed this to the BJP's pursuit of what it regards as its "distinctive agenda" with Hindutva as its linchpin. But a defiant BJP has sought to make it clear ... that it would not countenance any dilution of its Hindutva plank.

... Speculation is rife over the Congress's withdrawal of support to the Deve Gowda Government...

The BJP's own gut feeling is that the Congress is only waiting for the moment when it is able to muster the numbers and get past the BJP. Knowing full well that the Congress will not waste a moment thereafter to strike, the BJP's efforts will be to somehow pre-empt Kesri and his camp-followers from cobbling together a new coalition at the Centre.

Thus, the twin developments (at the Centre and in UP) have brought home to the BJP's top brass the hard fact that unless it finds acceptability among other political parties, its prospects of making it to power (in New Delhi, anyway) would remain bleak. All said and done, there are limits to the BJP's growth. In the absence of an emotive issue like Ayodhya, it is still harder for the party. And, in any event, it by and large remains a party of the Hindi heartland... There are vast patches in the East and the South, where the BJP is a marginal player at best. The message has not been lost on the BJP leadership, which in recent months has been working overtime in its bid to strike new friendships...

... Roping in more allies in the southern and eastern States ... continues to be a daunting proposition... IN other places, the BJP is clearly groping in the dark.

(Source: The Hindustan Times, 12 January, 1996)

In the new year, the BJP's problems may not be far different. The saffron party's main worry will continue to be how to win friends and influence people. Given its thin presence outside the Hindi heartland and the western States, forging tie-ups with regional parties may be the only way-out for the BJP to make a serious bid for power at the Centre.

(Source: The Hindustan Times, 3 January, 1997)

National Press on CBI's Interrogation of JD President Laloo Prasad Yadav

Requiem for Laloo?

Editorial, The Hindustan Times, 9 January, 1997

... Today Bihar Chief Minister Laloo Prasad Yadav looks like a beaten man trying to present a brave front in the face of mounting evidence of his involvement in the multi-crore animal husbandry scam. Of course, the marathon questioning session that the Central Bureau of Investigation had with Mr. Yadav. With the decks cleared for charge-sheeting him, Mr. Yadav's hitherto unchallenged position as Bihar's strongman has more or less dissipated. ... With Mr. Narasimha Rao's example before him, Yadav may stay on until the actual charge-sheeting takes place...

Over the past year, Yadav's response to the massive fraud ... has varied from blustering confidence to pathetic buck passing. In all probability, the Bihar Chief Minister had told the CBI that officials ... over the past many years were responsible for the scam. His own role was to blow the lid off the scam. Unfortunately, there is palpable evidence of his involvement with the main scamsters and the accidental bonfire of incriminating documents long ago has given the game away. The posture of injured innocence ill-fits Yadav... Perhaps there is a lesson in it for political parvenus now strutting across the country as national leaders.

Passing the Buck

Editorial, The Pioneer, 9 January, 1997

... The moral compulsions on Yadav now to uphold the dignity of his office and resign, owning responsibility for grave administrative lapses, are rapidly growing. After all, the fraudulent fodder deals have virtually emptied the coffers of the exchequer and crippled the State...

Clearly, the Bihar Chief Minister's lack of political response to the mega-fraud ... has turned on its head his professed ideal of bringing about social justice. Yadav has sought to distance himself from the scam even though the evidence points at his direction. He has held the State Government officials solely responsible for the scandal. This is in disregard of the fact Mr. Yadav himself has admitted links with two of the prime suspects, the Janata Dal MLA R.K. Rana, and the Animal Husbandry Department's chief in Ranchi, S.B. Sinha... The local guardian of (his) children studying in Ranchi... He accepted free air tickets from the beneficiaries of the scam money... Amazingly, despite these damaging revelations, the Chief Minister continues to try and pass the buck... Much of (his) bluster... may well be motivated by a guilty conscience which vainly seeks to ward off fear-by making light of the investigations...

Laloo Gone Berserk

Editorial, The Indian Express, 10 January, 1997

Bihar C.M. Yadav seems to have lost his sense of propriety, if ever he had one. His fulmination against CBI Joint Director Biswas was totally unwarranted and was not becoming of the high office he holds. Since it is not mandatory for an accused to have faith in the investigating agency, it is irrelevant whether Yadav reposes confidence in the CBI or not.

But to berate an officer and to accuse him of being a tool in the hands of an Opposition party just because he leads the investigation into the fodder scam is in bad taste. ... Realisation seems to have sunk into him that it is only a matter of time before he is put in the dock. True to form, Yadav has threatened to take the matter to the people's court little knowing there is nothing to be taken there...

Where is the conspiracy ... if, in the course of its investigation, the CBI thought it necessary to interrogate the Chief Minister? After all, the agency is in the business of collecting evidence and not condemning or punishing him. Of course, Biswas could have been a little more circumspect. He should have allowed his action to speak... The CBI would do well to realise that there is no need for inspired leaks and conjecturing.

In the good old days, the very thought of interrogation would have driven anyone to shame. But with a former Prime Minister undergoing the same experience, Yadav has some reason not to be ashamed. But his claim that he would continue to rule the State even if he is jailed is nothing but arrogance... It is for the court to pronounce him guilty or not but his continuance in the post once he is charged would surely be untenable... If he had any concern for norms and values, he would have quit the moment the CBI came to interrogate him. Yadav should realise that when it comes to adjudicating on financial malfeasance, the law is not bothered by the popularity an accused enjoys...

CBI as Whipping Boy

Editorial, The Hindustan Times, 11 Jan., 1997

Bihar is a State where the weird is often the ordinary... Yadav has been living through a bad dream ever since the fodder scam came to surface. His hopeless predicament is that after the CBI's routine grilling, believed to be rather mild, he can't even draw comfort from the fact that it could have been much worse. In fact, the worst is still to come... Yadav seems to be a great exponent of the triumph of image over reality. Not the image that the media projects nor the image that masses

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Admission to Guilt?

Editorial, The Pioneer, 11 January, 1997

... Bihar Chief Minister ... Yadav has only succeeded in driving yet another nail in his own coffin by unleashing mobs on the streets of Patna... Indeed, far from being a show of strength, the street violence ... has exposed his vulnerability. For, only the guilty or the insane would make the preposterous demand that the Central Bureau of Investigation appoint its investigating officers according to the whims and fancies of rampaging mobs. It is true that the concerned CBI official ... Biswas, has occasionally tended to get carried away by his zeal to nail the culprits behind the fodder scam...

As a matter of fact (Yadav) has over the past few days provided enough indications of his increasing nervousness about being found guilty... In his latest hysterical outburst, Yadav has declared that since the CBI did not appoint him as Chief Minister, he felt no need to resign even if he was formally chargesheeted.... Unlike in the past ... Yadav's bluster today sounds like the death rattle of a desperately afraid politician. One who not only feels the legal noose tightening round its neck but also who is fast running out of friends even in his own party...

The developments in Bihar will be watched by PM ... Deve Gowda, with much anxiety. It is quite possible that he may not be entirely unhappy at Yadav and his supporters indulging in lunatic statements and acts. After all, Deve Gowda would much rather have his eccentric colleague shoot himself in the head than take the dicey decision to sack the CM should he be chargesheeted.... Indeed, not only the P.M. but all the constituents of the UF have a duty to restrain (Yadav) if they want the Government at the Centre to have any credibility at all. For it would be a sad day for the country if political leaders are allowed to use a popular mandate as a shield to protect themselves against the law of the land.

perceive of, but the one that he is hoping to build... There was a time when Yadav could do no wrong. Today he appears unable to do much right. If the Press is exposing his acts of misdemeanour, he vows to teach journalists a lesson. If the CBI is proceeding against him, it becomes a new villain. All this point to the beginning of his end.

Time and hope are running out... Yadav now threatens to take the fodder scandal to the "people's court"... Yadav has resorted to a weird logic that after all the CBI hasn't made him the Chief Minister. If he feels that the CBI is trying to frame him, he can fight it out in the court. Why is he so wary of the courts? He had earlier dismissed the CAG indictment as an "afterthought"... These are testing times for the "messiah of social justice". He is not only running short of time, he is running short of defence as well.

Unease in the Dal

Editorial, The Janata, 12 January, 1997

On the first day, when the news came that Laloo Prasad Yadav had been grilled for six hours by the CBI and the headlines shrieked that his being chargesheeted was imminent, many asked the question: How the Janata Dal - the leadership and the workers - should react to this event? The press reported that there was unease in the Dal ... but there were no reports of any reaction... The next day at the Political Affairs Committee meeting this was not even raised. It is possible that the leadership and the workers were nonplussed, fearing that their worst fears about the person, who once looked like a saviour...

This sort of reaction, or, rather non-reaction, could not have helped the party. It would have only hastened the decline of its influence. But if they - the party and the workers - had reacted ... it would have enhanced the prestige of the party and initiated a process which, as in the Congress, could have resulted in its consolidation.

But now the news has come that the workers of the Bihar unit of the JD ... have demonstrated their loyalty to Laloo Yadav by taking the latter's battle to the streets. This answer ... is even worse than the inaction out of fear. It only proves that the JD leaders and the workers are as good or bad as those of the other parties. One can only hope that the reaction of the Bihar unit is not representative and there are both leaders and workers who do not endorse it.

One cannot help saying that Laloo Yadav himself could have set a precedent by resigning the post, and in the process, helped himself as well as the party... But Laloo Yadav, who is a product of the JP movement, has failed to do so. And the Dal leaders have failed to react sensibly and have so far at least preferred to keep quiet... In a situation like this, the only way the Dal can be strengthened is that the workers outside Bihar assert and build sufficient pressure so that Laloo Yadav would give up his post... Such an initiative by the Dal workers will benefit the party as well as the country...

Workers can take heart from the fact that the Congress after removing P.V. Narasimha Rao has been able to attract the dissidents back into the fold and paved the way for it to emerge as the single largest party at the next elections...

There is enough in the thinking of the Janata Dal to permit a resurgence of its strength or recapturing its former glory. The social justice plank has not exhausted its potential and the Gandhian and Socialist traditions of its constituents give, in combination, a powerful philosophical base. Laloo Prasad Yadav giving up his post or the workers asserting themselves can not just arrest the Dal's decline but set it on a course to future eminence.

Supreme Court

On Restriction on Fundamental Rights

Krishnan Kakkanth, Appellant v. Government of Kerala and others, Respondents.

G.N. RAY AND B.L. HANSARIA, JJ.

Constitution of India, Article 19 - Scope - Imposed restriction whether reasonable - Determination of Guiding factor is public interest.

The reasonableness of restriction is to be determined in an objective manner and from the stand point of the interests of general public and not from the stand point of the interests of the persons upon whom the restrictions are imposed or upon abstract consideration. A restriction cannot be said to be unreasonable merely because in a given case, it operates harshly and even if the persons affected be petty traders. In determining the infringement of the right guaranteed under Article 19 (1), the nature of right alleged to have been infringed, the underlying purpose of the restriction imposed, the extent and urgency of the evil sought to be remedied thereby, the disproportion of the imposition, the prevailing conditions at the time, enter into judicial verdict.

The Constitution does not recognise franchise or rights to business which are dependent on grants by the State or business affected by public interest. Where a right is conferred on a particular individual or group of individuals to the exclusion of others, the reasonableness of restrictions has to be determined with reference to the circumstances relating to the trade or business in question. Canalisation of a particular business in favour of specified individual is reasonable where vital interest of the community are concerned or when the business affects the economy of the country. Reasonable restriction is to be imposed under a valid law and not by executive instructions....

(Source: AIR 1997 Supreme Court 128)

Kerala High Court

On Restriction on Right to Work

Sunny Markose, Petitioner v. State of Kerala and others, Respondents.

K.T. THOMAS, Ag. C.J. & S. SANKARASUBBAN, J.

Constitution of India, Articles 19(1)(g), (6), 21 and 47 - Right to work - Trading in liquor - Not fundamental right - Abolition of arrack shops - Plea of deprivation of right to practise trade . Not sustainable as interest of public outweighs inconvenience to trade.

Article 47 of the Constitution of India enjoins on the State of bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health. The article enjoins upon and in turn enables the State to take measures to raise the level of nutrition and the standard of living and to improve public health. To meet this end, State is required to bring about prohibition of the consumption of intoxicating drinks and drugs which are injurious to health. Prohibition may be complete or partial and it also includes regulations. The arrack is one such thing.

Art. 19(1)(g) read with Art. 19(6) of the Constitution spells out a fundamental right given to the citizen to practise any profession or carry on any occupation, trade or business so long as it is not prevented or is within the framework of

Andhra Pradesh High Court

On Act of State and Freedom of Religion

Pogakula Laxmireddy and others, Petitioners v. The Principal Secretary to Govt. of A.P., Revenue Department Secretariat, Hyderabad and others, Respondents.

G. BIKSHAPATHY, J.

Constitution of India, Article 25 - Freedom to religion - Acts of State offending religious sentiments - "Mutt" on private land - Treated as place of worship by all sections of society - Belief that sacred book written on palm leaves by Holy Saint was preserved in earth under holy tamarind tree at that place - Said place not covered by provisions of Religious Endowments Act (1863) - Application by a person claiming to be the reincarnation of the same holy Saint seeking permission to excavate holy book - Government memo permitting excavation touching sentiments of many devotees - Is liable to be quashed.

(Source: AIR 1997 Andhra Pradesh 6)

Punjab and Haryana High Court

On Freedom of Expression and Religion

Master Aman Preet Singh and others, Petitioners v. Government of India, and others, Respondents.

R.P. SETHI, C.J., S.S. NIJJAR, J.

Constitution of India, Arts. 19, 25 and 29 - Freedom of expression - Protection of - Offending remarks against religious Guru of Community - Deletion of - Description of religious Guru of community as employee of Moghul emperor in lesson of text book - Guru throughout his life admittedly fought against Moghul emperor and sacrificed his life - Portion describing Guru as employee of Moghul emperor - Deleted as it was likely to hurt religious feelings of community.

A Guru who is respected, revered and worshipped and is admitted to have fought against Moghul emperor throughout his life and sacrificed all that which was precious to him cannot be permitted to be projected to students to be an employee of Moghul emperor as the same is likely to hurt the religious feelings of the community. Freedom of speech and expression implies reasonable restrictions. Freedom of speech can be exercised up to the extent and limits when it does not infringe the right or faith of others. A writing which projected the guru of religious community as an employee of Moghul emperor any such writing which was likely to hurt the religious feelings of community cannot be claimed to be right of the author. Therefore, the offending portion in the lesson of the text book was ordered to be deleted.

(Source: AIR 1996 Punjab and Haryana 284)

the regulation if any. There can be no dispute that certain professions, occupations, trade or business which are not in interest of the general public may be completely prohibited while others may be permitted with reasonable restrictions. Hence the citizens have no fundamental right to trade in liquor. Therefore the contention that by abolition of liquor shops there will be deprivation of practising trade in arrack and in livelihood is not sustainable as the interest of the public outweighs the inconvenience caused to those carrying on arrack trade. ...

(Source: AIR 1996 Kerala 379)

Gauhati High Court On Validity of Law or Rule

M/s Kelvin Cinema and others, Petitioners v. State of Assam and another, Respondents.

J.N. SARMA, J.

Interpretation of statutes - Validity of law or rule - Its reasonableness, purpose or object, public convenience, utility, benefit sought to be conferred and public good - These facts ought to be taken into consideration.

Constitution of India, Articles 14, 19.

In interpreting a statute or a rule it has to be borne in mind that legislature does not intend what is inconvenient and unreasonable. If a rule leads to an absurdity or manifest injustice from any adherence to it, the court can step in. A statute or a rule usually should be most agreeable to convenience, reason and should do justice to all. The approach of Bentham regarding law is to deliver the maximum benefit/utility to the people with minimum amount of friction/inconvenience to others.

A law/rule should not be made without a purpose or object and when it is found to, it is to be struck down, further when it is found that the object is illusory and appears to be nothing but a shadow hunting process that law is bad as it does not serve any purpose of the society in general. A law/rule should be beneficial in the sense that it should suppress the mischief and advance the remedy. In interpreting a law/rule it is legitimate to take into consideration the reasonableness or unreasonableness of any provision.

Gross absurdity must always be avoided in a statute/rule. Law must be interpreted for promoting public good and to interdict power misuse.

Constitution of India, Article 14, 19(2)(6) - Word "reasonable" - Connotation of - Reasonable restriction - Should not be arbitrary or in excess of public interest - Should be governed by course which reason dictates...

The expression reasonable means rational, according to dictate of reason and not excessive or immoderate. If something is not per se preposterous or absurd, it must be held to be reasonable. Reasonable restriction imposed on person for enjoyment of right should not be arbitrary or of an excessive nature beyond what is required in the interest of public. Reasonableness of restriction depends upon nature of right claimed, object to be achieved, means employed and limitation imposed. One must strike a balance between individual liberty and social control by bearing in mind the principle that courts should not make an approach which will be a body blow to the fibre of the society. ...

(Source: AIR 1996 Guwahati 103)

Government Statement On Rights of Animals

The Government is aware of Universal Declaration of Animal Rights adopted by International League for Animal Rights in 1978. The fundamental duty of every citizen as enshrined in Article 51A of Constitution is to show compassion to all living creatures and protect natural assets like forests, rivers, lakes and wildlife etc. The Government has enacted the Prevention of Cruelty to Animals Act, 1996 and established an Animal Welfare Board of India. Government is of the opinion that adoption of Universal Declaration of Animal Rights by itself is no effective solution unless, it is fortified with public awareness. Concerted efforts are being made by the Central/State Governments/Union Territory Administration, to increase such awareness among public specially children.... The Government will continue to do so every thing possible for promotion of animal welfare.

(Source: The LSUQ No. 3536 dated 17 December, 1996 by G.M. Lodha)

Astrology in School Syllabus

Over 150 astrologers from different parts of the country today demanded that astrology be recognised as a science and included in school and college curricula.

... It is learnt that the Delhi University has agreed, in principle to start an under-graduate course in astrology. The Lal Bahadur Shastri Vidyapeeth has also decided to start a post-graduate diploma course this year.

The Conference today tried to build up support for the science which is gaining credibility...

(Source: The Hindu, 6 January, 1997)

Human Sacrifice for Infertility

... A nar bali (human sacrifice) was committed in New Delhi on 20 November... "The sacrifice of the boy", the police guess, "could be the work of a childless couple or some very ill person who believes that it would cure him or her"...

"Doa" for Shaheed Babari Masjid

... On this year's Shab-e-Barat ... at some places in Delhi, Muslims also prayed for the reconstruction of the Babari Mosque at the very site it had stood... At some places the prayer ... was made jointly... on appeal of the Anjuman-e-Rahbare Insan. Signatories included UF Ministers C.M. Ibrahim, Mohammed Maqbool Dar and Salim Iqbal Shervani and Wasim Ahmed, MP.

(Source: The Organiser, New Delhi)

J&K: Views of Karan Singh On Autonomy and Special Status

The Autonomy question ... is incredibly complicated, but, ... there are two committees handling it. The second committee on the regional demands is headed by Farooq and has Balraj Puri as the working President. The two are inseparable because if you demand more autonomy for J&K vis-a-vis the Centre, you have to be prepared to give autonomy to the regions also. And the people who demand regional autonomy must also be prepared to support autonomy for the state. You cannot have it one way... For the first time in 50 years a serious effort is being made to solve the dual problems. And the problem is: what is the relationship of J&K with the rest of India and two, what is the relationship between Jammu, Kashmir and Ladakh within the state? Both these things have to be sorted out if we have to get an abiding solution.... We are ... going ... to put in advertisements and call for memoranda from people in the state, in India and even abroad. After we get all the memoranda, we will see if we need to personally meet people.

... Our first task is to identify the present position.

... After the 1952 agreement and the Constitution of the state adopted in 1957, some of the points (of the earlier agreement) were incorporated, some were not. Subsequently, there was a lot of more dilution. Then, came the 1975 agreement and after that too, there was further dilution. In fact, the situation is chaotic. Chaotic because there have been so many changes and amendments. But I would also like to say that not everything that was done was against the interests of the people. For example, the Supreme Court jurisdiction...

The only consistent policy the Government of India has followed is to erode, as far as possible, the autonomy of J&K. Since there has been a steady erosion of autonomy, the committee calls itself the "committee for restoration of autonomy". Autonomy is an idea whose time has come... Not only J&K, others are also asking for it... Autonomy is no longer something which is against the mainstream though J&K is still a special case, for instance, the only state, with its own constitution.

... Everyone realises that the concept of all authority, all wisdom and all ability being concentrated in New Delhi ... is no longer valid. We are going to be a billion people by the turn of the century and a billion people cannot be run from South Block. Therefore, this is a good time to re-establish J&K's autonomy, of course, within the framework of the Indian Constitution...

... J&K is a national question... After all, if we ... restore autonomy to J&K, it is going to be in the broader national interest. If the people of the state are satisfied, it strengthens national integrity and the Government of India.

Views of Mir Waiz Umer Farooq, Chairman, APHC

The Kashmir Hurriyat Conference leader, Mirwaiz Umar Farooq, is strongly opposed to the bid to find a "military solution" to the Kashmir tangle, as it would prove ruinous to the people of the State on either side of the line of control. He also ruled out the use of the gun, as any viable alternative solution could be found only through political means.

Mirwaiz Farooq ... added that elections were no solution to the problem, which needed to be tackled at a "trilateral level" with people of the State on either side of the Line of Control playing a major role in finding an acceptable solution. "Our experience" he said has shown that the two countries on their own will not strive for a solution. Only an intervention of Kashmiris will prove decisive and break the impasse".

He was severely critical of the "strong hand" used by New Delhi in dealing with the "movement" in Kashmir. He denied that the armed campaign by militants was directed and backed by Pakistan. "Ours was an indigenous struggle to fulfil the aspirations of the people of the State, irrespective of their religious and regional affiliation". ... It is in the national interest of India to fulfil aspirations of Kashmiris and deal with the problem politically, he said. He admitted that the militants had "wrongly used the gun, indulged in extortions, and admitted blackguard in their ranks," with the result "the movement" had developed "negative features".

He, however, added that elements charged with having committed excesses were being marginalised...

Mirwaiz Farooq disclosed that a move was afoot to... include representatives from Ladakh and Jammu regions... Steps were also being taken to broad-base the "awareness campaign" to seek popular support in India...

No Kashmiri, he said, was prepared to accept peace with a danda. The Kashmiris were unwilling to accept a solution which did not meet their "aspirations for freedom". He felt that the recent elections for the Legislative Assembly had not brought ... a political solution. On the contrary militants actions had increased.

(Interview with P.N. Jalali, IPA)

Other important documents like the Sarkaria Commission report on Centre-State relations have been lying on the backburner for years... The Sarkaria Commission report can be a starting point for us. We can use some of its recommendations...

The Prime Minister has been reiterating ... 'maximum autonomy' to J&K... We have called it restoration of autonomy... I am trying to recreate a good relationship between (Srinagar) and New Delhi and to restore to the people a sense of involvement and dignity.

(Source: The Indian Express, 22 December, 1996)

V.M. Tarkunde on Kashmir Problem

... What is necessary in this situation is that the Government of India should undertake immediate negotiations with Dr. Farooq Abdullah and his Government on the details of the maximum autonomy which can be granted to J&K in accordance with the terms of the Instrument of Accession of 1947. According to those terms, India's right to legislate in regard to J&K should be confined to the subjects of Defence, Foreign Affairs and Communications. The scope of these subjects must be very narrowly construed in order to fulfil the second condition of the Accession which was that concurrence of the people of the State had to be obtained for the finalisation of the Accession. It is obvious that if the subjects of Defence, Foreign Affairs and Communications are widely interpreted, the majority of the people of J&K would not only assent to the Accession.

After reaching an agreement with Dr. Farooq Abdullah's Government on the concrete meaning of the "maximum autonomy" to be granted to J&K, the formula so evolved should be placed before the people of the State including those leaders who boycotted the election, particularly the member of the APHC Conference. Some give and take will be required to reach a final settlement. After a settlement is reached, another general election of the State Legislature should be held with the participation of all the parties and groups in the State.

It is necessary to ascertain whether the people of the so-called "Northern Areas" (mainly Baltistan and Gilgit), which are in Pakistan's occupation, are desirous of rejoining the other people of the erstwhile State of J&K in having a common future. For this purpose it is essential that facilities be made available to the leaders of both sides of the Line of Control to meet each other and discuss the questions involved. A limited understanding with the Government of Pakistan will be required for facilitating such mutual discussions...

After reaching an agreement with the people of J&K, with or without the participation of the people of the so-called "Northern Areas", the Government of India should have a dialogue with the Government of Pakistan for settling the dispute between them in regard to J&K. The dispute should be settled on the principle that in the final analysis the will of the majority of people of the State of J&K must prevail in the settlement of their future.

(Source: The Radical Humanist, January, 1997)

J&K: Views of Farooq Abdullah

... Our secession into India is complete and irreversible. The question of autonomy that will be discussed will include the Delhi agreement of 1952 and the Indira-Abdullah accord of 1975...

(Source: The Times of India, 17 November, 1996)

Justice A.S. Anand on J&K and Texas

... The accession of Kashmir to India is quite analogous to the annexation of Texas by the United States of America (USA). When Mexico separated from the Spanish Empire and setup as an independent Republic, Texas was an integral part of the new state. Later, Texas revolted against the Mexican authorities and established itself as an independent entity. The independent status of Texas was recognised by the USA and the principal powers of Europe. In 1844, the Government of Texas, threatened by the menace of predatory incursions from Mexico, requested the Government of the USA to annex the state. This proposal was accepted by the American Congress in a joint resolution in March, 1845. After this sanction, America sent an army to defend the western frontiers of Texas. The Government of Mexico strongly protested and alleged violation of the rights of Mexico and even the diplomatic intercourse between the two governments was suspended. The Mexican protest evoked the following reply from the Government of the USA:

"The Government of United States did not consider this joint resolution as a violation of any of the rights of Mexico, or that it offered any just cause or offence to its government; that the Republic of Texas is an independent power, owing no allegiance to Mexico, and constituting no part of her territory or rightful sovereignty and jurisdiction"

Arun Joshi on Autonomy Question

... What can this committee do. And what would it recommend? It has to demarcate and make it known that autonomy is not secession and also, why it is necessary to have more autonomy for this State than the others. This argument has to be taken forward in the context of Pakistan-occupied Kashmir (PoK) for if nothing is done to restore the autonomy, there are always forces ready in Pakistan and PoK to evoke trouble on this side of the Line of Control, to exploit secessionist sentiments. It also needs to be discussed in the realm of "why a Kashmiri identity" and why autonomy is necessary to meet the aspirations of the people of the State and thus silence the always doubting international community.

(Source: The Hindustan times, 8 December, 1996)

RSS Role in J&K's Accession

Mr. K.N. Sahni ... revealed some interesting information about what happened in the Valley in 1947. He said he had accompanied the late M.S. Golwalkar and Pandit Prem Nath Dogra when they persuaded Maharaja Hari Singh, former ruler of the State, to announce the merger with India. The Maharaja, according to Mr. Sahni, agreed but delayed the announcement at the instance of a few sycophants around him.

(Source: Pushp Saraf in The Indian Express, 24 August, 1992)

Balraj Puri on Impact of Election on "Azadi" Movement

Leaders of the "Azadi" movement in Kashmir decided not to participate in the recently concluded elections to the State Assembly and campaigned for their boycott. They argued that elections were no solution to the Kashmir problem. A Hurriyat leader demanded elections under the supervision of the United Nations as a precondition for its participation because they had never been fair and were unlikely to be fair now.

Nobody had claimed that elections were intended to get a verdict of the people for or against the State remaining a part of India. Indeed the official position does not concede the right of secession to any State even if a majority of its people demanded it, through election or otherwise. What was then the difference between the Hurriyat and those who participated in the elections? The aim of these elections was not to seek a solution of the Kashmir problem but to elect a government...

While participation in elections as such does not reflect decline in the strength of the "Azadi" movement, the latter cannot dismiss the pro-India forces, which, during the course of two elections, parliamentary and Assembly, have re-emerged with an active and assertive political role. The movement is further going to be critically affected with the installation of an elected government. ...

The Urdu word "Azadi" itself has three English equivalents - independence, freedom and autonomy. To the extent civil liberties are restored, the rule of law is re-established, freedom of expression is guaranteed, and independent press and judiciary are effective, sentiments of freedom would be satisfied. Similarly to the extent the movement for autonomy gains momentum and the credibility of its champions is established and a genuine dialogue is started between them and the Government of India as also with the leaderships of Jammu and Ladakh, it may satisfy the urge for Kashmiri identity to some extent and snatch some more space from the "Azadi" movement. The autonomy might appear to many as a more practical and achievable form of "Azadi" than full independence.

A part of this space was already nibbled by Pakistan when it ruled out the third option of independence in deciding the future of the State and diverted the supply of arms from the JKLF to the Hizbul-Mujahideen and Harkatul Ansar. As the "Azadi" movement, which had at one time covered almost the entire political space in the Valley, faces a fresh challenge from pro-India militants and pro-India political parties, the space would further shrink. For meanwhile, its own strength - armed, political and diplomatic - has also declined and some fissures have developed in its ranks. Now when India has won a battle in the proxy war against Pakistan and put the militants and the Hurriyat on the defensive, militarily and politically, it is the most appropriate psychological moment to renew the offer for a dialogue to all groups who did not participate in the elections. For if guns have

failed to deliver the goods for the militants, the Indian state, too, has yet to achieve a decisive victory in the battle for the minds of the people of Kashmir.

The options of India are as limited as those of the Hurriyat and other secessionist groups. The latter can either entirely lean on non-Kashmiri pro-Pak foreign militants - and lose their identity - or convert themselves into an indigenous political movement and fill a part of the vast opposition ground which the elections have left vacant. For the three Opposition members of the Assembly, not political stalwarts in any sense - out of 46 in the Valley - cannot be an adequate channel of popular discontent. (The fourth vocal CPM member is an ally of the ruling party). It is, therefore, in the mutual interest of the national leadership and those who boycotted the elections to explore the possible areas of agreement which may lead to a lasting solution of the Kashmir problem and meanwhile end the bloodshed in the Valley.

(Source: The Mainstream, 11 January, 1997)

Erosion of Autonomy since Delhi Agreement, 1954

- 1954 : Financial integration through operation of Customs, Central Excise, Civil Aviation, Posts and Telegraph.
- 1958 : All India Service - IAS and IPS - introduced. Also functions of Comptroller and Auditor General extended to J&K.
- 1950 : Census operations to be conducted under the Centre... Done in the 1961 Census.
- 1960 : a) Supreme Court ... given the powers to give special leave to appeal from the decisions of the High Court of Jammu & Kashmir.
b) Elections to either House and the resolution of doubts and disputes relating to them ...placed under the supervision of the Election Commission of India.
- 1961 : Extension of the Industries (Development and Regulation) Act, 1951, to J&K.
- 1964 : Articles 356 and 357 of the Indian Constitution relating to dismissal of State Governments and introduction of President's or Governor's Rule extended to the State.
- 1965 : Legislations regarding welfare of labour, trade unions, social security, etc. extended to J&K. Also Central labour laws.
- 1966 : Direct election to Lok Sabha introduced.
- 1968 : Appeals to Supreme Court from the Decisions of the High Court in election petition.
- 1969 : Unlawful Activities (Prevention) Act, 1967 extended to J&K.
- 1971 : Article 226 relating to the powers of the High Courts to issue writ made applicable to J&K.
- 1972 : Entry 60 of the Union List relating to sanctioning of cinematograph films applied.
- 1986 : Article 249 of the Constitution applied.

(Courtesy: The Hindustan Times)

Aasha Khosa on Post-Election Scene in State

... As the post-election euphoria recedes, the Kashmiri militants are slowly making a tactical comeback to the mainland from their mountain and jungle hideouts. Less than two months after the formation of the National Conference (NC) government, the militants - who are tactfully changing their rough-and-tough image for social acceptability - find it easy to penetrate the villages. The reason: the political vacuum still persists and the security forces are yet to come to terms with this post-election reality.

While cases of explosions and arson have increased in towns such as Srinagar, it's the villages where this trend is visible... Villagers are now welcoming the militants with food once again... Armed pro-Pakistan militants have been marching through villages... Observers say that one reason militants have started regaining social acceptability is their changing face. "They no longer resort to extortion and anti-social acts", says a Congress leader from Sopore. At some places, the Hizbul Mujahideen militants pay for their stay.

However, the most important reason for their resurgence is the severely restricted political activity by the National Conference (NC). For example, the NC has not organised a single political rally in Kashmir after it was elected to power. Its ministers don't even stay in their native places for security reasons. All this has undermined the political process as the people are still alienated from their elected representatives.

"The people in rural areas have once again started looking up to the militants for rescuing them from the red-tape"... "The vacuum still exists and the militants are there to fill it"... As a result, as Congress Legislative Party leader Mehbooba Mufti puts it, violence is increasing and heavy outflow of youth into Pakistan for armed training has already started. With an elected government in Srinagar, life hasn't changed much for Kashmiris and not even for the militants. However... the counterinsurgent... find themselves caught between the guns of the militants and an indifferent government.

The former militants have suffered heavily since the installation of the popular government: their camps were attacked at least 15 times by Hizbul Mujahideen and other pro-Pakistan outfits and as many as 35 surrendered militants killed. According to sources, militants have stopped random firings and aimless killings and have started concentrating on "targeted killings of counter-insurgents, political activists and local police officials.

...With the government yet to spell out its policy on counter-insurgents, the former militants are feeling increasingly insecure... The pro-Pakistan militants are gaining the edge. Local militants have moved into the villages and foreign mercenaries have moved towards the northern areas bordering Pakistan Occupied Kashmir to play a more pivotal role in monitoring the supplies of arms and trained militants... Army authorities, however, claim the influx of mercenaries has been on the decline... In fact, the number of foreign mercenaries killed and arrested has come down in the past two months...

(Source: The Indian Express, 28-29 November, 1996)

Arun Joshi's Report on J&K, 1996

What appeared like a dream till sometime back became a reality in 1996. The Assembly elections were held in J&K after seven years of Central rule...

For a moment it seemed that nothing had changed since the night of January 18, 1990, when the Farooq Abdullah Government resigned in protest against the reappointment of Jagmohan as the Governor. In October 1996 Farooq was back with most of his men to take up the reins of power. But this time the task was tougher. Apart from the usual problems of unemployment, lack of funds, industrial backwardness etc. the administration had to grapple with... militancy.

And to strike at the roots of secessionism, the Government addressed the issue of autonomy, as promised in the manifesto, soon after it took over. Two panels were set up - one to recommend the quantum of autonomy and State can expect from the Union of India and the second to suggest measures for the regional autonomy for Jammu, Kashmir and Ladakh.

Equal importance was given to social and economic issues - over 26,000 jobs were identified for the unemployed youth and raids conducted on the premises of Government offices to show that the Government meant business. Having been in power for just two months, it is too early to assess the Government's performance. But, to begin with, the Government has done precious little to address the day to day problems of the people. The Ministers, scared of visiting the Valley, spend most of their time in Jammu.

The militancy also seems to be resurfacing after a brief lull. A series of blasts and attempts on the lives of several Ministers have only heightened the uncertainty... The Government (is unable) to define its policy regarding the militants. It is continuing with its flip flop approach, sending confusing signals. ...

For secessionists, particularly AIPHC, it was one test after another... Its call for boycott of parliamentary elections went unheeded and it ended up accusing the Government and the Security Forces of resorting to terror tactics to ensure a good voter turnout.

By the time it repeated its boycott call for the Assembly elections, the APHC itself was in turmoil. It expelled one of its charismatic leaders Shabir Shah, once hailed as the Nelson Mandela of Kashmir, for his defiance of the collective decisions of the Conference. The successful completion of the Lok Sabha and Assembly elections was a major setback for the APHC.

However, What has been bothering the administration lately is the swelling ranks of the pro-Pakistan groups because of the rising infiltration. Desertions from the counter insurgent groups have also come as a shot in the arm for the militancy. The APHC successfully organised demonstrations on the Human Rights day after a long gap signalling its gradual acceptance. Street demonstrations and recurring observance of general strikes have demonstrated that militancy is still around...

(Source: The Hindustan Times, 3 January, 1997)

Amnesty International on J&K Elections (Excerpts)

During the first stage of elections, held on 7 May in Jammu and Ladakh, little violence and a high voter turnout of about 55% and 80% respectively were reported.

During the next stage of elections, on 23 May in Baramulla and Anantnag, Independent Indian and foreign correspondents and human rights monitors reported witnessing the Indian army, the paramilitary, Rashtriya Rifles and renegades coercing people at gunpoint from their homes to participate in elections. Officials claimed a turnout of 35% in Baramulla and of 43% in Anantnag, compared with less than 5% in parliamentary elections in 1989. A team of Indian human rights activists, including representatives of the Committee for the Protection of Democratic Rights, Lokshahi Hakk Sanghatana and A.P. Civil Liberties Committee, reported that "the Indian army went from house to house on 23 May, forcibly evicting people from their houses at gunpoint, scuttling them like cattle towards the polling booths. The army had threatened them that if they returned without a mark on their finger, they would be considered sympathizers or militants." Renegades belonging to the Ikhwan-ul Muslimoon reported threatened people in Pampore that they would be beheaded if they could not show the ink mark on their finger. Demonstrators in Baramulla and Sopore towns and village Muchpora in Anantnag constituency, protesting against the army's coercive methods, as well as journalists covering the demonstrations, were subjected to heavy lathi-charges by the army, the human rights activists reported...

Srinagar, where the last stage of elections took place on 30 May, was relatively quiet during the elections in Anantnag and Baramulla due to prolonged strikes (20 to 23, 26 to 30 May) called by several opposition groups protesting against the elections. However, some incidents were reported. Armed opposition groups repeatedly tried to disrupt election preparations and elections and especially targeted government officials...

Armed opposition groups were reportedly responsible for some bomb attacks outside J&K... As in the pre-election phase, some abuses including targeted killings were committed by unknown persons or groups...

Several people were arbitrarily detained and ill-treated by security forces, apparently to intimidate whole neighbourhoods to participate in the elections or to put pressure on political leaders. On 13 May, Ghulam Hassan Mukhdoomi, the son-in-law of APHC leader Syed Ali Shah Gilani was arbitrarily arrested by the paramilitary Rashtriya Rifles who acted in conjunction with a group of renegades in Tujjar Sharif, Sopore, and detained for three days in Bomai camp, Sopore. No charges were brought against Mukhdoomi, a medical assistant, who had no apparent political affiliation. His arrest was widely seen as intended to put pressure on the APHC leadership. On the day before the elections in Srinagar, most APHC leaders, including chairman Umar Farooq, Yasin Malik, Syed Ali Shah Gilani, Shabir Ahmad Shah and Abdul Gani Bhat were placed under

house arrest, apparently to prevent them from making public speeches against the elections... The house arrest was lifted after the election. JKLF leaders Javed Mir and Shakeel Bakhshi were arrested on 30 May while holding demonstrations against the elections, but were released later in the day. Like residents of Baramulla and Anantnag, people living in Srinagar's outlying areas reported that troops had threatened them on 29 May that their hands would be chopped off if their fingers did not bear the blue mark proving that they had participated in elections; similar complaints were made in Udhampur. Some Srinagar residents told foreign correspondents that security personnel had threatened them with "dire consequences" if they did not go to vote!

Officials later claimed a 37% turnout in Srinagar and 55% participation in Udhampur while independent observers touring the Srinagar area were quoted as estimating the turnout to be less than half this figure. Invalid votes, according to official sources, were some 10% of votes cast in Srinagar, compared to 7.5% in Baramulla; this percentage was considered low by officials and an indicator that people were not coerced hence did not see the need to invalidate their ballot papers.... Three people were killed in Srinagar on 30 May and dozens injured as hundreds of people demonstrated in the streets shouting anti-Indian slogans...

Indian authorities have denied the truth of eye-witness accounts of coercion and the use of threat of force against people unwilling to participate in the elections. J&K Chief Secretary Ashok Kumar, who acknowledged that he had not been to the relevant districts during the election process, stated in a press conference that what reporters had seen was troops offering protection to voters against reprisals by insurgent groups: "I am speaking the truth" there was no herding of people". A spokesperson of the federal government home ministry asserted on 24 May that complaints of coercion were a "defense mechanism" of people against possible reprisals by militants who had called for a boycott and that the heavy army presence was needed "to protect candidates, voters, and government officials conducting the polls". Lieutenant-General Jagjit Singh Dhillon declared that army officers may have asked people to vote, but that they had not been ordered to coerce anyone to do so. Similarly Director General of Police Manohar Nath Saberwal after the conclusion of elections in Srinagar dismissed reported of coercion as part of a "disinformation campaign". Governor K.V. Krishna Rao stated that "The people are fully aware that these elections have been absolutely free and fair"; Chief Election Commissioner T.N. Seshan in response to allegation of coercion during a press conference said that no written complaint had been received by the commission. Despite these protestations, the overwhelming weight of evidence available to Amnesty International suggests that the electoral process was marred by intimidation and threats of human rights violations and abuses.

Congress(I) Leader Jagan Nath Mishra on Babari Masjid Question

...What happened on 6 December 1992 was a National Shame for our entire political system. All the national, secular parties are equally responsible for this. The non-Congress secular parties can not absolve themselves of the responsibility of failure to protect Babari Masjid. The Congress government and its leadership are equally responsible for this... This is a political issue which has to be resolved politically. The Supreme Court in its judgement in October, 1994 had refused to advise the president on this sensitive issue on the grounds of super flousness - and its purpose not being secular (as per minority judgement) leaves the issue as and where it was before 6th December, 1992. This judgement made the political leadership of the country more responsive towards this sensitive issue which threatened national integration and unity of our vast polity. Litigation and civil suit being time-consuming, a solution to this vexed and sensitive issue has to be found by the political parties committed to secularism. The political parties have hardly been sincere and honest to this political issue, because all political parties have been vague on this issue. Even the JD and left parties who boast of being secular have not made their stand clear on this issue.

... Only talking of Mahatma Gandhi, Jawahar Lal Nehru and Indira Gandhi's legacy will not satisfy and convince the Muslim community whose feeling had been deeply hurt. The Indian National Congress which gave the country a constitution and laid the infrastructure bears the responsibility of keeping the country united but this onerous task cannot be achieved all by itself. Therefore, now is the time for the Congress and other secular political parties to come together. They must put their heads together and find an honourable solution to this vexed and lingering problem.

No doubt, such a political adventure was fraught with dangerous consequences in terms of vote and in terms of state power. But there are things of much greater significance than political power in human history. May be one section would get antagonised and vote Congress out of power. That, however, should not and must not deter it from fulfilling the task designed to it by history. The Congress may not come to power for one or two terms but sacrifices made by it in defence of secularism shall never be forgotten. And that ...will be the Congress's greatest strength. If secularism is lost, democracy may not be able to stand the test of the time.

I had made a fervent appeal on 24th December, 1992 in the Congress Working Committee... that the minority community's faith and commitment cannot be restored unless political determination is demonstrated through

such measures.... I call upon all secular parties to agree to reconstruct Babari Masjid at Ayodhya at the same place where it was situated with a view to assuaging the hurt sentiments of Muslims and protecting, preserving and defending secularism, the essence of the Indian Constitution. Only talking and preaching secularism will not bring the minority community in the main stream of national life. They have to be satisfied that their interests as guaranteed under the Constitution were being well protecting.

Ayodhya's Long Shadow in Lok Sabha Saroj Nagi's Report in the Hindustan Times, 7 December, 1996

It was a week of the long knives in the Lok Sabha with the fourth anniversary of the demolition of the Babari Masjid on December 6 casting its long and dark shadow over the proceedings. Even as the focus remained on the BJP, with the non-BJP forces joining hands to corner it, each party attacked the other at the first opportunity. The week ... President's Rule in UP ... culminated in the bitterness associated with the demolition in Ayodhya.

Not surprisingly, the House arraigned itself into the BJP and the anti-BJP forces, with each side vociferously expounding its views without convincing the other...

While the Left, the UF, the Congress and some BSP members demanded that the House condemn the "shame" which "blackened the face of India", a volatile BJP stoutly resisted every such attempt and description. Indeed, Ms. Uma Bharati, the BJP's star campaigner for a Ram temple at the disputed site, called for the declaration of December 6 as a national holiday - to the background chants of mandir vahin banayenge and Mathura, Kashi baki hai - sparking off a furore, even as her party's allies, the Samata and the Akalis, maintained a discreet silence. Interestingly, Leader of Opposition in the House, A.B. Vajpayee, whose initial reaction to the demolition was one of regret, was conspicuous by his absence.

Government Statement On Inquiry Commission on Babari Masjid

The Commission of Inquiry on the Demolition of the Babari Masjid in December, 1992, has not submitted its report.... On the basis of the investigations carried out by it into the offences connected with the demolition of the disputed structure on 6 December 1992, etc., CBI had filed a combined chargesheet against 40 persons before the Special Court at Lucknow. All these cases have been committed for trial to the Court of Special Additional Session Judge, Lucknow.

(Source: LSUQ o. 1621 dated 3 December, 1996 by Mukhtar Anis)

Gujarat Chief Minister Vaghela On Demolition of Babari Masjid

... In the BJP all were agreed against precipitating demolition of the Babari structure in Ayodhya. It was the VHP's agenda adopted by BJP. ... The Muslims could have been persuaded to shift the mosque elsewhere but the issue was allowed to snowball into a Hindu-Muslim question...

Shahabuddin's Letter, 15 November, 1996

Please accept my sincere felicitations on your assumption of office as the Chief Minister of Gujarat. I wish you every success.

The RSS Weekly, the Organiser has quoted you to say on the question of Babari Masjid: "In the BJP all were agreed against precipitating demolition of the Babari structure in Ayodhya. It was the VHP's agenda adopted by BJP. ... The Muslims could have been persuaded to shift the mosque elsewhere but the issue was allowed to snowball into a Hindu-Muslim question".

Since the adoption of the Palanpur Resolution, Ram Janambhoomi Question was very much on the agenda of the BJP also. In any case no responsible Muslim leader or organisation, was prepared to "shift" the Babari Masjid, unless either there was a judicial verdict against them on the question of title to the Masjid and its site or unless the Ram Janambhoomi Movement provided scriptural evidence that the Babari Masjid site was the birthsite of Lord Rama and that a Ram Janamasthan Mandir stood on the site in 1528 and was demolished to build the Babari Masjid on its place. Since the Babari Masjid has been unlawfully demolished, the first thing is to restore it and then wait for the judicial verdict, if the rule of law has any. In any case the Muslim community has resigned itself today to wait for the judicial decision so long as no permanent structure is constructed on the site.

This is for your background information.

Tamil Nadu Muslim Munnatra Kazhagam's Statement on Babari Masjid, Madras, 6 December, 1996

Braving police harassment and stern warning issued by the Chief Minister Karunanidhi, about ten thousand Muslims defied the ban orders and attempted to go in procession to Raj Bhavan at Chennai to perform Friday prayer. The call for Friday prayer at Raj Bhavan was given (to mark) the 4th anniversary of the demolition of Babari Masjid at Ayodhya ... to demand the reconstruction of Babari Masjid at the original site.

The procession was led by Moulvi P. Zainul Abideen, Organiser of the Kazhagam.

Police arrested the protestors when they defied the ban orders and confined them in Rajaratnam Stadium where they performed the Friday prayer. In spite of the preventive arrest throughout the state and other excesses, more than 20,000 Muslims participated, to remind the countrymen the duty they owe to their minority brethren.

Gautam Navlakha's Statement On 4th Anniversary of the Demolition The Times of India, 6 December, 1996

On this day four-years ago the BJP and its ilk demolished the Babari Masjid in brazen disregard of their constitutional responsibility and sworn affidavits before the Supreme Court...

This act to divide the people brought the country close to a civil war. Despite all this, neither the Congress government nor the United Front government, which swears by secularism, have done much by way of bringing the guilty to book.

The CBI filed its case ten months after the event in October 1993. But three years later, charges have yet to be framed. Indeed the special sessions court has seen judges come and go and for months together has been without a judge.

The Justice Liberhans Commission of Inquiry set up by the Government in December 1992 has yet to complete its inquiry. Nor has the Supreme Court found the time to begin contempt proceedings against the BJP leaders and officials who submitted false affidavits in November, 1992. And the media, singled out for attack during the demolition, has not bothered to find out why - despite investigations by the IPS officer, Ms. Poornima Singh - no cases have been filed against the guilty.

The absence of justice and non-restoration of the property belonging to the Ayodhya Muslims illegally usurped in December 1949, are a reminder that our government believes only in appeasing the saffron criminals. To talk of secularism under such circumstances is shameful.

Kaleem Kawaja on Babari Masjid

The fourth anniversary of the demolition of the Babari Mosque in Ayodhya is upon us. In these four years nothing has been done to ease the pain and anguish caused by the biggest blow to democracy and secularism in India by the lumpen and communalist elements on December 6, 1992. The secular centrist parties are silent... They perceive it as too thorny an issue. The government who ... promised to the Indian Muslims ... the reconstruction of the Mosque has retracted from its commitment.

But for the Muslims ... of India, the Babari Masjid remains the powerful symbol of a real issue. For them it symbolizes the question of their security... Secularists had cried out against a ... wrong done, to a ... minority community... Indian Muslims had cried out in fear for their very survival.

As long as no action is taken against those who were responsible for the (destruction and the) anti-Muslim violence in December, 1992, and those who continue to intimidate and threaten Muslims, Babri Masjid will live in the minds ... of the Muslims in India.

(Courtesy: The AIM Journal, Washington DC, November, 1996)

Government Statements

On Civil Services Examinations

The Union Public Service Commission has recommended 639 candidates on the basis of CSE-1995 for allotment to various services, the recruitment in which is made through Civil Services Examination. Out of the 639 candidates recommended on the basis of CSE-1995, 189 belong to OBCs, 101 to SCs and 48 to STs. The result of four candidates (3 OBCs, 1 ST) is yet to be declared by the Commission.

... There are 27 OBC and 3 SC candidates, who rank **above** the last general candidate recommended in the list and have qualified in the list without availing of any of the concessions/relaxations admissible to OBC/SC/ST candidates.

	Number of Candidates			General	Total
	Reserved	ST	OBC		
Appeared at Preliminary Examination	33499	10434	39122	63748	146803
Appeared at the Main Exam.	1279	589	2351	4475	8694
Qualified for Interview	202	102	336	676	1316
Recommended for Recruitment					
- Quota	101	46	65		212
- Non-Quota		3	27	397	427
Total	101	49	92	397	639

On Appointment of Religious Teachers in Army

Religious Teachers namely Pandits, Granthis and Buddhist Monks are authorised for Units/Formations of the Army at the scale of one Religious Teacher for each class, provided the posted strength of Junior Commissioned Officers, Other Ranks (including Recruits and Trainees) of that class at the station is not less than 120. Padres (Roman Catholic or Protestant) and Maulvis are provided in Units/Formations for each class having not less than 120 Roman Catholic or Protestant Christians/Muslims (including Recruits and Trainees) at the station... A total of 1852 Religious Teachers are authorised in Indian Army as on April 1, 1996. The details religion-wise are as under:-

(a) Pandit (Hindu)	1568
(b) Granthi (Sikh)	194
(c) Maulvi (Muslim)	54
(d) Padre (Christian)	27
(e) Buddhist Monk	11
Total	1852

(Source: LSUQ No. 1500 dated 2 December, 1996 by Mukhtar Anis)

On Reservation for Parliamentary and Assembly Seats for Other Backward Classes

The question of reservation for Parliamentary and Assembly seats for Other Backward Classes is under consideration of the Government.

(Source: LSUQ No. 3568 dated 17 December, 1996 by R. Ranjan)

On Jobs for Muslims

... Some representations have been received by National Commission for Backward Classes from some organisations of AP, Goa, Karnataka, Kerala, Orissa and Tripura for inclusion of Muslim community as a whole in the OBCs List. No recommendation to this effect has been made by the Commission ... till date. However, some sections of minorities including Muslims ... have been included in the Other Backward Classes List and are eligible ... for reservation in Civil posts under the Central Govt.

(Source: LSUQ NO. 3718/17.12.1996 by Mukhtar Anis)

Coaching and Guidance Programme Patna Muslim High School/Intermediate College, Patna-4: Results Achieved

	Coached	Qualified	Achievement
1995	25	13	52%
	Bihar Administrative Services	8}	
	Bihar Police Service	2}	
	Asstt. Registrar Coop.	3}	
	Coached 40	Qualified 17	Achievement 42.5%
1995	Bihar Admn. Services	11}	
	Probationary Officer	4}	
	Bihar Education Service	2}	

To have a complete picture, one needs two more statistics: Service-wise Total Recruitment and number Total Muslims recruited (including those coached by this institute).

(Muslim India offers felicitation to the authorities of the institute and particularly to Dr. Mohib Ahmad for excellent results and best wishes for great achievement in future).

Muslims Over-represented in Crime in Mumbai

... The Asian Age shows that Muslims are over-represented in the crime business in metropolitan Mumbai. According to the 1991 census, Muslims constituted around 20% of the city's population - 16,70,170 Muslims against 67,47,676 Hindus. But according to police records for the period January 1 - October 31, 1996 Muslims were involved in nearly 33% of the crimes in the city.

Of the 2,651 people accused for various crimes, 1,867 are Hindus, 706 Muslims, 40 Sikhs and 29 Christians. The Asian Age also found that while in a majority of the cases Hindus were booked for offences like accidents, fraud and theft, Muslims were charged with more violent crimes like murder, extortion, physical assaults and theft of cars. ...

(Courtesy: The Asian Age)

**P. Kodandaramaiah's Constitution
(Amendment) Bill, 1996****On Reservation in Legislatures for OBC's**

... 2. After article 330 of the Constitution, the following article shall be inserted, namely:-

"330A. (1) Seats shall be reserved in the House of the People for the Other Backward Classes.

(2) The number of seat reserved in any State or Union Territory for the Other Backward Classes under Clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State or Union Territory in the House of the People as the population of Other Backward Classes in the State or Union Territory or part of the State or Union Territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the State or Union Territory. ... Provided further that the first census taken after the year 2000 shall include 'caste' as one of the items of information".

3. After article 332 of the Constitution, the following articles shall be inserted, namely:-

"332A. (1) Seats shall be reserved for the Other Backward Classes in the Legislative Assembly of every State and in Legislative Assembly of every Union Territory having a Legislative Assembly.

(2) The number of seats reserved for the Other Backward Classes in the Legislative Assembly of any State or Union Territory, having a Legislative Assembly, under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Other Backward Classes in the State or Union Territory or part of the State or Union Territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the State or Union Territory.

332B. Notwithstanding anything contained in this Constitution, no Court shall have jurisdiction in respect of any reservation made under articles 330A and 332A.

4. After article 334 of the Constitution, the following article shall be inserted, namely:-

"334A. Notwithstanding anything in the foregoing provisions of this Part, the provisions of this Constitution relating to the reservation of seats for the Other Backward Classes in the House of the People and in the Legislative Assemblies of the States and of Union Territories having Legislative Assembly shall cease to have effect on the expiration of a period of twenty-five years from the date of coming into force of the Constitution (Amendment) Act, 1996:

Provided that nothing in this article shall affect any representation in the House of the People or in the Legislative Assembly of a State or Union Territory having Legislative Assembly until the dissolution of the then existing House or Assembly, as the case may be. ...

Competitive Populism**Editorial, India Today, 15 December, 1996**

The Prime Minister's proposal to extend the policy of caste-based reservations to the private sector has caused grave concern not only to the business community but also - to the extent that such promises tend to set off waves of competitive populism - among the public at large. At a recent Dalit rally in the capital, Deve Gowda also vowed to disregard the 50 per cent cap placed by the Supreme Court...

Whatever the justification, any attempt by the Government to dictate employment policies to the private sector could violate their Fundamental Right to carry on any occupation, trade or business guaranteed by Article 19(g) of the Constitution. The question of legality apart, the proposal is fraught with serious consequences for the management of Indian business...

Yet, every society seeks to help historically disadvantaged groups by policies of positive discrimination. And there can be no reason why private enterprise should be exempted from conforming to such 'affirmative' action. The best way to achieve these social objectives without harming business is to, perhaps give incentives to hire socially disadvantaged groups while enacting laws on the lines of the US Equal Employment Opportunity Commission (EEOC). The EEOC eliminates discrimination based on race, colour, religion, sex, national origin, disability or age in hiring, promoting or firing workers. And sues errant companies. Such a model will both ensure that employment opportunities are made available to every social group and create a lawful mechanism for enforcing it.

Malignant Myopia**Editorial, The Pioneer, 27 December, 1996**

... Announcement by Prime Minister, Deve Gowda, about extending the benefit of reservation to Muslims along with Jats and Bhumihars can only be described as breathtakingly outrageous... Deve Gowda appears determined to do his best to further exacerbate the existing tensions in our already fragmented society... Deve Gowda is playing to the gallery. And, clearly, according to a pre-determined plan. It is possible that he has deliberately chosen to play the Muslim card. Implicit in his pronouncements may be a desire to emulate V.P. Singh... He can project himself as the champion of the minorities - much in the same clumsy fashion in which Mr. Singh chose to wear the mantle of messiah of OBCs...

This should explain to a large extent Deve Gowda's lament in Patna that he would have announced reservations for the minority community "straightaway"

(Contd. on page 94)

Demographer Malika B. Mistry

On Comparative Levels of Education of Muslim Women in India

... (In 1992-93), the National Family Health Survey (NFHS) was carried out by the Ministry of Health and Family Welfare, Government of India and International Institute for Population Sciences, Bombay. In this survey, interviews were conducted with a nationally representative sample of 89,777 ever-married women in the age group 13-49, from 24 states and the National Capital Territory of Delhi (which later became a state) from April 1992 to September 1993 with the main objective of collecting reliable and upto-date information on fertility, family planning, mortality and maternal and child health. It used uniform questionnaires and uniform methods of sampling, data collection and analysis in different states. This was one of the most complete household surveys of its kind ever conducted in India. This survey also collected information on the highest level of education attained and exposure to mass media among each ever-married women by religion...

In the NFHS, at all India level, 11% of the household heads were Muslims and 82% were Hindus. The proportion of Muslims and Hindus in total sample of NFHS in each state was selected according to their percentage in the total population of each state as given by 1991 census. ...

For India as a whole, 66% of the Muslim women are illiterate. Haryana can be described as the state with universal illiteracy among Muslim women in India (98 per cent). Kerala is on the other end with the lowest illiterate Muslim women (21%)...

With regard to the category of high school complete, at all India level, about 5% of the Muslim women have passed high school... Only in Delhi, AP, Tamil Nadu and Maharashtra, 8 to 12% of Muslim women have

completed high school education... For India as a whole, only 1% of the Muslim women have studied above high school... Only in Andhra Pradesh, a little above 5% of the Muslim women have studied above high school...

As far as differentials in illiteracy are concerned, at all India level the proportion of illiterate women among Hindus and Muslims is not much different...

With regard to the category of high school complete, at all India level Muslim women are nearly 2 times behind the Hindu women.

The differentials in the category of above high school between Hindus and Muslims are more disturbing. At all India level, Muslim women are nearly three times behind Hindu women. At state level, the Muslim women lag behind Hindu women as follows: West Bengal, Delhi and Rajasthan, 9 times; Kerala, 7 times; Bihar, 5 times; Assam and Maharashtra, 4 times; Uttar Pradesh, 3 times; and Karnataka and Gujarat, 2 times... In Andhra Pradesh higher percentage of Muslim women have completed above high school education.

Thus ... the illiteracy levels among Muslim women are very high and the levels of higher education are very low. The differentials in literacy between Muslim and Hindu women in general are large and they increase substantially as the level of education increases. ...

Policy Recommendations

From the above discussion, the following policy recommendations can be made:

1. Muslim women in Haryana need literacy programme urgently as here universal illiteracy is observed. Also the states of UP, Bihar and Rajasthan need literacy programme at the earliest. Excepting the states of Tamil Nadu and Kerala, in all the states sincere efforts

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Educational Levels among Hindu and Muslim Women [Age 13-49], (1992-93)

S. No.	State	Muslim Population % of State population	Illiterate		High School Completed		Above High School	
			Hindu	Muslim	Hindu	Muslim	Hindu	Muslim
1.	Assam	28.4	53.1	73.5	6.3	2.4	2.7	0.6
2.	West Bengal	23.6	47.4	61.7	6.9	1.4	4.6	0.5
3.	Kerala	23.3	15.2	20.6	17.3	5.1	6.8	0.9
4.	Uttar Pradesh	17.3	74.4	85.2	5.7	3.9	3.3	1.1
5.	Bihar	14.8	76.7	87.7	6.3	1.3	2.7	0.5
6.	Karnataka	11.6	62.7	62.6	10.3	6.0	3.2	1.6
7.	Maharashtra	9.8	50.6	50.7	10.4	8.5	4.6	1.2
8.	Delhi	9.4	36.7	62.5	19.9	12.4	17.6	2.0
9.	Andhra Pradesh	8.9	70.4	54.4	7.0	10.7	2.3	5.4
10.	Gujarat	8.7	56.5	50.3	12.2	5.8	4.1	1.8
11.	Rajasthan	8.0	82.6	88.0	3.5	1.7	1.8	0.3
12.	Tamil Nadu	5.5	53.2	30.1	11.3	11.2	2.5	2.8
13.	Madhya Pradesh	5.0	76.1	60.7	4.4	5.8	2.4	2.3
14.	Haryana	4.6	63.1	98.2	11.2	0.7	3.5	0.0
	India	12.12	64.1	66.1	7.9	4.5	3.4	1.2

are needed to improve literacy levels among Muslim women. ...

2. The educational levels among Muslim women with regard to the categories of high school complete and above high school, are very low. For this drop-out rates among Muslim girls at lower levels of education need to be reduced substantially. When compared with Hindu women, the educational backwardness among Muslim women becomes more intense. In order to make Muslim women competitive in Indian society, they need to be given higher education by making concerted and long term efforts. For this special incentives should be provided and change in the attitudes of Muslim parents in general and Muslim men in particular needs to be brought about.

To conclude, in order to make Muslim community a dynamic community which can face the challenges of a modern society, Muslim women have to become literate and their educational levels have to be improved substantially. To achieve this, it requires vision and hard work on the part of the Muslim community.

Education of Muslim Women

Editorial, Islamic Voice, January, 1997

Though the call for establishment of a University for Muslim Women in Chennai will be welcomed with due circumspection, the first-ever Muslim Women's Education Conference that concluded there will be remembered as a significant advance...

It was desirable that the conference should have gone into the question of education for Muslim Women from the standpoint of Indian ambience. The socio-economic and educational status of Muslim women became the object of exaggerated attention in the wake of the Shah Bano case and the three talaq controversy. Yet there had been almost no discussion on the far greater negative impact of physical and cultural threat under which the whole community is made to live. This is due to total abdication of the basic responsibility of ensuring rule of law by the administration. Lot of the Women of the community can be no better or safer than that of the menfolk. Communal insecurity will deter the higher education prospects of Muslim women in perhaps greater measure than it does with their males. Naturally such factors come in the way of Muslim households allowing their hijab observing girls to attend colleges. Provision of unisex school ... will better suit the Muslim women. It is rather ironical that a government that seeks to adopt culture specific methods to popularise birth-control among Muslim women, fights shy of a similar approach for education. Behavioural changes are universally acknowledged to be culture specific. UK's social welfare department appoints family counsellors to deal with the dowry victims among the uppercaste Hindu families of Indian origin. Though the female counsellors are white-skinned they are trained to speak Hindi and don salwar-kameez.... More Muslim girls are studying and graduating

(Contd. on page 58)

Government Statement

On Schemes for Education of Minorities

Two Central schemes viz: i) Area Intensive Programme for Educationally Backward Minorities and ii) Scheme of Financial Assistance for Modernization of Madarsa Education were launched during 1993-94. The budgetary allocation as well as expenditure incurred during each of the last three years and 1996-97 in respect of each of the schemes is given below.

I. Budget Allocation (BE)	93-94	94-95	95-96	96-97
i) Area Intensive Programme for Educationally Backward Minorities	220	220	220	220
ii) Scheme of Financial Assistance for Modernization of Madarsa	25	33	40	30 Plan 3 Non-Plan

II. Expenditure (Actual)

i) Area Intensive Programme for Educationally Backward Minorities

S.No. State/NGO	93-94	94-95	95-96	96-97
1. Andhra Pradesh	--	--	--	--
2. Assam	--	--	--	--
3. Bihar	--	--	--	--
4. Gujarat	--	4.30	--	--
5. Haryana	2.08	--	--	--
6. Karnataka	68.42	9.00	--	69.03
7. Kerala	--	105.48	--	--
8. Madhya Pradesh	20.88	15.30	--	--
9. Rajasthan	65.62	12.71	27.64	38.665
10. Sikkim	--	--	--	--
11. Tamil Nadu	--	--	--	--
12. Uttar Pradesh	45.00	83.51	173.06	--
13. West Bengal	13.00	6.70	19.30	--
14. Chandigarh	--	--	--	--
15. R.A. Kidwai Memo. Trust, New Delhi	--	5.00	--	--
Total	215.00	242.00	220.00	107.695

ii) Scheme of Financial Assistance for Modernization of Madarsa Education

S.No. State/NGO	93-94	94-95	95-96	96-97
1. Andhra Pradesh	--	--	--	5.47
2. Assam	--	--	19.46	--
3. Bihar	--	--	--	4.71
4. Gujarat	--	--	--	--
5. Haryana	--	1.52	--	--
6. Karnataka	--	--	2.74	--
7. Kerala	--	--	12.77	--
8. Madhya Pradesh	--	5.78	11.10	--
9. Rajasthan	--	--	4.07	--
10. Sikkim	--	--	0.30	--
11. Tamil Nadu	--	--	0.30	--
12. Uttar Pradesh	3.04	11.70	34.88	4.71
13. West Bengal	--	--	24.32	--
14. Chandigarh	--	--	--	0.30
15. R.A. Kidwai Memo. Trust, New Delhi	--	--	--	--
Total	3.04	19.00	109.94	15.19

No targets are fixed and no achievements are indicated under these schemes as it depends upon the availability of funds and receipt of proposals from State Governments/NGOs.

(Source: LSUQ No. 1480 dated 2 December, 1996 by Mukhtar Anis)

Asghar Ali Engineer on Communal Situation, 1996

... Communalism and communal violence began to decline in the post-Babari Masjid demolition period... Ever since there have been very few riots...

Communalism too has in a way suffered a set back inasmuch as communal forces received no enthusiastic response from the common people. The Hindu communalists cannot dream of building up the Ram fervour, as they did during the late Eighties and early Nineties, at least for a number of years to come. The people suffered so intensely ... and its memory is so painful that they will shudder to support any such campaign. When the VHP launched the Kashi and Mathura temple movements in 1995, they were by and large ignored by the Hindus. Similarly the Muslim leaders who once launched the Shah Bano movement aggressively and formed the Babari Masjid Committee to arouse Muslim feelings are on the defensive or have been marginalised. The common people are thus able to breathe in peace at least for a while...

A decision which sent shockwaves throughout the country in 1996 was the winding up of the Srikrishna Commission, inquiring into the Bombay riots of December, 1992 and January 1993....

But fortunately the Government back-tracked and reinstated the commission at the end of May 1996, following an appeal by the then Prime Minister Mr. Atal Behari Vajpayee. This shows the Shiv Sena-BJP Government had no consistent policy in conducting an inquiry... as it was afraid that its own leaders and activists would be exposed for their role.

May 1996 was quite momentous as it was during the month the BJP, the largest single party in the Lok Sabha after the general elections, was invited by the President to form the Government. The BJP did so in the hope that some regional parties would support its government and that it would last out. However, it failed to win the support of the regional parties and the government fell after lasting for merely 13 days.

It was quite significant that despite the BJP's assurances that it would not press its Hindutva agenda, it did not receive the support of any regional party...

But as soon as it went out of office, the BJP again announced that it would stick to its Hindutva agenda of building the Ram temple, etc. This betrays utter opportunism on its part. It renounced its Hindutva agenda only to remain in power and this clearly shows that the BJP presses this agenda to exploit its Hindu vote bank and not on account of its conviction.

In the Uttar Pradesh Assembly elections held in October, 1996, the BJP got 177 seats, falling short of majority by 38 seats. However, it retained its polling

percentage of about 33. Here also it could not attract members from other parties to form a Government. The stalemate continued for a couple of weeks and the Centre imposed President's Rule keeping the Assembly in suspended animation...

The BJP softpeddled its hard-core Hindutva agenda in the UP election too. Of course, the party was divided on the issue. Those with RSS and VHP connections were not happy with this strategy. The BJP promised a riot-free UP in its manifesto. For the BJP ally, Shiv Sena, also, the going has not been easy in Maharashtra. The Shiv Sena has been up against many problems of its own creation. The Kini murder case, in which some Shiv Sena bigwigs are allegedly involved, has tarnished its image... The Supreme Court later ordered a CBI inquiry and it has already begun. ... The Anna Hazare movement certainly posed a great challenge to the saffron government at the end of 1996. December 6 continues to excite passions on both sides of the communal divide. While the communal forces want to celebrate it as a national day, the secular forces treat it as a day of national shame. December 6, 1996 was the fourth anniversary of the demolition of the Babari Masjid... Muslims in major cities observed a bandh that day in their areas. The protest was peaceful except for an incident in Hyderabad.

In Parliament, the BJP shed its moderation mask and reverted to the aggressive Hindutva stance of the pre-Babari Masjid demolition period... Uma Bharti, BJP MP, went to the extent of demanding that December 6 be declared a national holiday as it was a day of achievement for the Hindus.

There has been a sharp decline in communal violence since the ... riots in Bombay, Surat and other towns in December 1992 and January, 1993. There is hardly any instance of a major outburst in this period... Few riots did occur but in almost all instances it was spontaneous outburst of violence on a smaller scale. Also, there was an attempt to control the violence speedily. ...

... All these riots were mostly unplanned, unorganised and spontaneous outbursts of communal violence; most of them were brought under control speedily; the police role was qualitatively better; The Rapid Action Force or the Army units were immediately deployed; and the loss of life was under 10; mostly below five...

... One does not see any political party provoking them. These riots were the result of local incidents, not of planned provocation. Organising riots does not seem to be a paying proposition, at least for the present.

(Source: The Hindu, 9-10 January, 1997)

Landmarks in the Recognition of Katihar Medical College

A Story of Grit and Determination

- | | | | |
|----------|---|------------|--|
| 08.05.87 | ... Al-Karim Educational Trust (decides) to open a Medical college ... at Katihar. | 15.01.93 | Supreme Court directs University to constitute an inspection team to see the feasibility of conducting practical examination at the College. |
| 08.03.88 | Teaching of 1st year MBBS Course for the session 1987-88 started (in Patna). | 02.02.93 | ... Practical Exam conducted at Katihar Medical College. |
| 29.12.89 | Temporary affiliation granted .. by the L.N. Mithila University, Darbhanga. | 28.09.93 | Supreme Court passes the following order: "since a lot of water has flown and many activities have already been undertaken for the grant of affiliation, we think it is too late in the day for the state Government to question the legality of the establishment of the College on the ground that prior permission was not obtained..." and directs the State Government and the University to constitute an inspection team to inspect the college and submit the report". |
| 07.03.90 | Chief Minister Laloo Prasad Yadav withholds the proposed notification by the Government regarding the permanent affiliation of the College as per order dated 5.3.90... | 04.11.93 | Inspection team of Government of Bihar inspects College. |
| 25.09.90 | Mufti Mohd. Sayeed, Home Minister, Government of India (writes a letter NO. 6299 dated 25.9.90 to the Chief Minister to expedite ... affiliation. | 17.01.94 | State Government declines to permit affiliation... |
| 10.12.90 | The Trust files petition before the ... Patna High Court ... for grant of permanent affiliation. | 11.02.94 | Trust files affidavit against the negative move.. |
| 19.04.91 | Judgement delivered, but due to difference of opinion matter referred to a third Judge. The matter went against the college, by majority decision. | 16.04.94 | ... Dr. A.R. Kidwai, Governor, inaugurates the Nawab Hospital in the college campus. |
| 20.04.91 | College shifted from Patna to Katihar. | 25.11.94 | Supreme Court directs Medical Council of India to constitute an inspection team for ... the College ... (and) to report independent assessment. |
| 18.05.92 | Special leave petition filed by the Trust in the ... Supreme Court. | 29.12.94 | ... Medical Council of India inspects College and submits report highlighting certain deficiencies. |
| 16.07.92 | Special leave granted and the Supreme Court directs B.N. Mandal University, Madhepura, to conduct the examination of the students of Katihar Medical College. | 10.01.95 | Supreme Court gives six weeks time to College to remove deficiencies... |
| 07.08.92 | Vice Chancellor (Malay Kumar Chatterjee) notified programme of examination and date of submission of fees and forms. | 09.03.95 | Trust files affidavit regarding removal of deficiencies... |
| 17.10.92 | ... (The new) V.C. (Dr. Ram Badan Yadav) postpones the (examination). | 09.05.95 | Supreme Court directs MCI to verify affidavit ... and give general inspection report ... for determination whether or ... not recommendation/affiliation is permissible. |
| 24.10.92 | Trust files contempt petition against the V.C... | 27-28.6.95 | Medical Council of India again inspects College and reports removal of deficiencies and points out certain new deficiencies. |
| 08.12.92 | Supreme Court telephonically calls the VC to appear before the Court in person on 10.12.1992. | 22.08.95 | Trust files affidavit showing removal of deficiencies... |
| 10.12.92 | V.C. appears before the court in person and agrees to hold the 1st MBBS Examination from 14 December, 1992. | 27.02.96 | Supreme Court delivered the Judgement: "... that the affiliation is unnecessary delayed. The steps for the grant of affiliation to the appellant institution may now be expedited and we direct the respondent to issue necessary orders without loss of time. |
| 14.12.92 | The 1st MBBS Examination of two batches held at Madhepura University campus, 110 km. (away) from Katihar. | 02.04.96 | University issues the notification of affiliation. |
| 16.12.92 | The University Exam centre was shifted from Madhepura to Purnea College, Purnea, after the Chancellor intervenes. | | |
| 03.01.93 | V.C. issues notice to hold Practical Examination of the 1st MBBS at Darbhanga Medical College, Darbhanga, 300 km. away from Katihar. | | |
| 07.01.93 | Trust files a petition with the Supreme Court against the notification. | | |

C.P. Bhambri on Urdu Language: A Victim of Indian History

The partition of India had many negative consequences for the Pakistani and Indian society, and one of the victim of such "negativism" was Urdu, a purely Indian and Extremely creative language. Mohammad Ali Jinnah killed Urdu in East Bengal and weak and opportunistic secular parties neglected Urdu in North India. A few important points about the development of any language may be made to situate the neglect of Urdu Language in Independent India.

1. First, market acts as a push and pull factor for the growth or neglect of a language. Urdu cannot get encouragement from economic transactional market. But it can get great patronage from cultural market of India. The popular Indian Cinema depends a lot on story writers and poets and others who have great knowledge of Urdu. But if the pipeline of supply is blocked, there is no prospect of Masoom Raza Rahis and Naushads to emerge. And if the audience is not trained in the nuances of language, Qawwali and Ghazal will also die.
2. The Hindu communal forces, on the one hand, and, weak, vacillating and opportunist secular forces, on the other, have created an atmosphere for the decline of Urdu, and this is irrespective of the reasons of the BJP and such secularists being quite different. Why is Urdu dependent on politics? In a multilingual country, languages have to be legitimized by public opinion and political parties. ... The DMK in Tamil Nadu spearheaded the movement for Tamil language... In Andhra Pradesh, the Telugu Desam Party has taken up the cause of Telugu. Similarly, in Karnataka, all major political parties have championed the cause of Kannada. Same is the story about Hindi. Urdu received a very weak political support in Independent India.
3. In Northern India, Urdu has completely vanished due to anti-Urdu conspiracies of the fascist Hindu and chauvinist Hindi forces. There is no arrangement of Urdu teaching at any level in northern Indian states. As a result, three post-independent generations of Muslims in India are devoid of knowledge of Urdu... Then for the third Muslim generation, the problem of Urdu is no problem at all. It is ironical to note that under the category of modern Indian language in three-language formula, Sanskrit, instead of Urdu, is taught... Surprisingly, no voice of protest ... has been ever raised.
4. Gandhi and Nehru had a language policy in "Hindustani" ... Hindi and Urdu would have become indispensable twins. ...
5. Hindi and Urdu as natural twins were separated by the politics of religion and backward caste ... in North India. Hindi was appropriated by High Caste Hindus and also the champions of Backward caste rural peasantry in UP and Bihar.
6. The weak secular parties, like the Congress in UP and Bihar, did not play any active role in promoting Urdu

as a second language. In the 1980s and 1990s the JD accorded respectability to the Urdu Language. Even this was done in a very half-hearted manner.

7. Elite perception of education has changed and no public school has shown any interest in Urdu. ... Whatever little teaching of Urdu is undertaken, it is of very poor quality because the Indian Elite has abandoned Urdu.
8. Uptil 1989, during the Congress rule, the issue of Urdu did surface occasionally, but after 1989 when the Janata Dal came to power, the issue of Urdu was shelved for ever. Before the 1989 general elections the ruling Congress Govt. during its last session in the UP Assembly had approved a bill to make Urdu the second official language of the state, but the Hindu upper caste lobby in the Congress, in consonance with the Nagri Pracharini Sabha, managed to obtain a "Stay" from the Allahabad High Court, and thereby stopped the implementation of this Bill. The case is still pending. Meanwhile neither any political nor any Urdu organisation has ever tried to have it revoked.

... (To sum up), conspiracy of factors has worked against Urdu because it was disowned or very weakly accepted by the political class.

A rich and creative language like Urdu has a bleak future unless elite academic institutions make provision for its teaching. The so-called exclusive Urdu medium schools can only be a non-starter as promoter of the language because of their overall poverty and under-development. The growth and development of Urdu in India depends solely upon voluntary Muslim organizations, for which they will have to undertake the difficult task of building political pressure. What needs to be done is to begin a fresh struggle for the rights and appropriate status of Urdu. Nevertheless, to achieve a desirable and positive result ... the so-called Urdu champions who are associated with government and semi-government organizations and who care for self-benefits, in short the Pro-establishment Muslims, should be kept at a distance.

(Paper at Seminar on A. Salam Foundation's Education on Muslims of India, New Delhi)

(Contd. from page 89)

of the BJP's ascendancy.

In a brilliant essay, Mushirul Hasan has analysed the colonial and national narratives and explores as well as explodes the myth of pan-Islamic unity. He comes to the conclusion that Muslims have been the "logical victims of their own myth-making, claiming for themselves an alien culture, if not origin, and being so regarded by others". Orientalist assumptions also helped in portraying Muslims as an aggressive and hostile community, thus indirectly making common cause with the Hindutva project. A short review can hardly do justice to ... this volume. It is an essential reading for all those who are interested in understanding the Hindutva project.

(Source: The Pioneer)

Government Statements On Three Language Formula

In order to make provision for teaching of minority languages or mother tongue, the Union Education Ministry in consultation with the States/UTs formulated the Three Language Formula in 1957-58. This formula was simplified at the Chief Minister's Conference, 1961. This simplifies Three Language Formula which was subsequently incorporated in the National Policy on Education, 1968 is a vital constituent of the nationally agreed schemes of safeguards for linguistic minorities.

The Three Language Formula, which applies to Secondary stage of school education provides the study of a Modern Indian Language (MIL), preferably one of the Southern languages, apart from Hindi and English in Hindi speaking States and study of the regional language apart from Hindi and English in non-Hindi speaking States. According to the 31st Report of the Commissioner for Linguistic Minorities in India (for the period July 1990 to June 1991), all the States with the exception of Tamil Nadu, J&K and Pondicherry have implemented the Three Language Formula.

Medium of Instruction

The National Curricular Framework for Elementary and Secondary Education, brought out by the NCERT in 1988 on the basis of the postulates of NPE, 1986 provides that mother tongue should be the medium of instruction. The framework also provides the following:

"In the case of learners whose mother tongue is also the language of the region, the medium of instruction at the elementary and secondary stage should be the regional language. In the case of those whose mother tongue is different from the regional language, the mother tongue may be used as medium during the first two years of primary education, and the regional language should be used subsequently."

No Review Envisaged

At present, there is no proposal to convene a meeting of Chief Ministers and Education Ministers for the purpose to review the working of the Three Language Formula. However, State Governments have been urged from time to time to adopt and vigorously implement the Three Language Formula. The role of Central Government in the matter of implementation of Three Language Formula is recommendatory. The implementation of the Three Language Formula is the sole responsibility of the State Governments.

(Source: LSUQ NO. 3432 dated 16 December, 1996 by Mukhtar Anis)

On Birth Anniversary of Munshi Prem Chand

.... An amount of Rs.25,000/- was sanctioned in favour of Shri Prem Chand Memorial Building and Development Scheme Committee, Lamhi, Varanasi for holding a Seminar on 31st July, 1995 to celebrate the birth anniversary of Munshi Prem Chand. ...

(Source: LSUQ No. 3376 dated 16 December, 1996 by S.P. Jaiswal)

Report of the States Reorganisation Commission, 1956

Summary of Recommendations on Safeguards for Linguistic Groups

Constitutional recognition should be given to the right of linguistic minorities to have instruction in their mother-tongues at the primary school stage subject to a sufficient number of students being available. The Central Government should acquire power to enforce this right on the lines of the provisions contained in Article 347 of the Constitution. (Paragraphs 757 to 776).

The Government of India should adopt, in consultation with the State Governments, a clear code to govern the use of different languages at different levels of State administrations and take steps, under Article 347, to ensure that this code is followed. (Paragraphs 778 to 785).

The domicile tests in force in certain States operate to the disadvantage of minority groups. The Government of India should, therefore, undertake legislation under Article 16(3) of the Constitution in order to simplify and liberalise the requirements as to residence. (Paragraphs 786 to 788).

In examinations regulating entry into the public services of the states, a candidate should have the option to elect as the medium, apart from the main language of the State, the Union language, namely, English or Hindi, or the language of a minority constituting about fifteen to twenty per cent or more of the population of the State. (Paragraphs 789 to 790).

As far as possible, Public Service Commissions should be constituted to serve more than one State. (Paragraph 791).

Appointments to Public Service Commissions serving even single states be made by President as in the case of appointments to joint Public Service Commissions. (Paragraph 791).

The services of the Governors should be utilised for enforcing the safeguards for linguistic minorities. (Paragraphs 792 to 800).

National Urdu Development Council: Muslim Members

(Ms.) Jilani Bano	Malikzada Manzoor Ahmad
Abdul Mughni	Nizamuddin S. Gorekar
Shahid Siddiqui	Abdul Fazal Sahar
Salma Siddiqui	Mustaba Husain
Mohd. Zaman Ajurda	Syed Manzoor Ahmad
Syed Azam Husain	(Ms.) Syeda Syedain
S.M.H. Rizvi	S.G.A. Naqvi

(Source: LSSQ No.358 dated 16 December, 1996 by Mukhtar Anis)

Supreme Court On Development of Wakf Property

Markaz Constructions, Petitioner v. Sugra Humayun Mirza Wakf and others, Respondents.

A.M. AHMADI, C.J.I., Mrs. SUJATA V. MANOHAR
AND K. VENKATASWAMI, J.J.

Wakf Act (29 of 1954), Section 36-A - A.P. Wakf Rules (1974), Rule 12 - Wakf property - Grant of lease for its development - Mutawalli must be given an opportunity to express his views of choice of a contractor prior to sanction of Board - Order of High Court inviting fresh offers and to place before Wakf Board for sanction is proper - No interference under Article 136 of Constitution.

These petitions are in respect of a proposed lease of Sugra Humayun Mirza Wakf property for development to the petitioner. The Mutawalli of the said Wakf sent to the Wakf Board for approval a proposal for giving on lease the said Wakf land for development to one Vallabh Leasing & Finance Private Limited. The Wakf Board, however, decided to grant a lease for development to the petitioner. This was challenged in separate writ petitions by the Mutawalli of the said Wakf and Vallabh Leasing & Finance Private Limited. The writ petitions were allowed...

... We do not see why the objections, claims and suggestions which may be received by the Wakf Board should exclude any fresh offers in respect of the said property. Also, Rule 12 does not prevent the Wakf Board from examining such proposals... The Wakf Board, however, must consider the views of the Mutawalli on such proposals. Looking to the scheme of the provisions, the Division Bench of the A.P. High Court has rightly come to the conclusion that in the transaction of the kind in question, where a long term lease for construction of a commercial complex on the Wakf property is proposed to be issued, the Mutawalli must be given an opportunity to express his views on the choice of a contractor and the Wakf Board cannot decide the question on its own.

The Division Bench has directed the Mutawalli to advertise the proposal of the petitioner and to invite fresh offers and place before the Wakf Board for sanction, the offer that he may consider to be in the best interests of the Wakf... Looking to all the circumstances, we do not consider this a matter where intervention under Article 136 is required... (Source: AIR 1997 Supreme Court 2763)

Government Statement on Wakf Board

The Government have enacted the Wakf Act, 1995. The Act has been enforced in the country (except the State of Jammu and Kashmir to which it does not extend) with effect from 01.01.1996. With the enforcement of the Wakf Act, 1995 the bodies including the State Wakf Boards, constituted and established under the Wakf Act, 1954, or State Wakf Laws, stand dissolved.

(Source: LSUQ No. 3560 dated 17 December, 1996 by J.P. Agarwal)

Madhya Pradesh High Court On Scope of Wakf Tribunals

Subhan Shah through LRs. Ramjan Khan and others,
Appellants v. M.P. Wakf Board and others, Respondents.

C.K. PRASAD, J.

Wakf Act (29 of 1954), Sections 6A, 55-C, 55-G [as substituted by Wakf (M.P. Amendment) Act, 1994] - Disputes regarding wakf property - Determination of - Jurisdiction of Tribunal - Not confined to determination of dispute which is required to be determined under specific provision of Act, Rule or Order Mutawalli or any person interested in Wakf - Can file application to Tribunal for determination of any disputed question or other matters relating to Wakf.

Section 55(2) of the Act confers discretion to aggrieved person to file an application to the Tribunal only in case of he is aggrieved by any order made under this Act or any rule or order made thereunder. However, any Mutawalli of a wakf and person interested in a wakf can file application to the Tribunal for determination of any disputed question or other matters relating to the Wakf. Even in case of persons aggrieved, he can file an application to the Tribunal only in case the order passed under the Act, rule or order made thereunder is in relation to the wakf property. In case the power of the Tribunal is confined for determination of only those disputes which are required to be determined under the specific provision of the Act, Rule or Order, it will lead to rendering the provision of Section 55(2) of the Act superfluous.

It cannot be said in such case that when the Tribunal is not competent to grant relief sought for in the Civil Court the necessary corollary of the same, shall be that the Tribunal shall have no power. Under Section 55(5) of the Act the Tribunal is deemed to be a Civil Court and has the same power as that of a Civil Court under the Code of Civil Procedure, while trying the suit or executing the decree or order. In view of the aforesaid specific provisions the relief which can be granted by the Civil Court can also be granted by the Tribunal. Further, in view of the express bar of the jurisdiction of the Civil Court under Section 55-C of the Act (as amended), no suit or legal proceedings would lie in Civil Court, which is required by or under the Act, to be determined by the Tribunal.

Wakf Act (29 of 1954), Section 27 - Decision of Board to include property in register of wakf - Is statutory decision - Its validity can be decided by Tribunal - No suit or proceeding shall lie before Civil Court against such decision. Section 55-G (as introduced by Wakf [M.P. Amendment] Act (1994) - Wakf property - Dispute - Transfer of cases to Tribunal - Not only suit pending before original Court but other proceedings pending before any Court or other authorities - Required to be transferred.

(Source: AIR 1997, Madhya Pradesh 8)

Gurmukh Singh On Infiltration in Assam

(Dhubri) district, bifurcated by the Brahmaputra, has virtually become an extension of Bangladesh because of the continuing influx from across the border.

From post number 1001 to 1067 in this district, the highly porous 260-km-long Bangladesh border has become the gateway for migration into Assam, altering the demographic ratio in Kamrup, Dhubri, Goalpara and Nalbari districts, admits a police official.

... For a highly open border there is only one watch tower for a distance of one-and-a-half kilometre.

Compounding the problem of patrolling is the 70-km wide Brahmaputra and a large unfenced area on both sides of the river. "This is truly a great problem. Though we have 59 watercraft keeping round-the-clock vigil in the river, this area is too vast and some people might still be slipping in. Another big problem is the river islands where infiltrators and smugglers... take shelter. But there is very little infiltration as our 19 posts on these islands maintain a constant vigil... Bangladeshi migrants are also reportedly sneaking in with the Indian farmers who go across the border to cultivate in the 150-metre belt which belongs to India (as the fencing has been done 150 metre into Indian territory). "One farmer goes there, but he returns with two Bangladeshis. Though the BSF issues token cards to these farmers which they return on re-entry, (it) can't check every individual"...

The worst-affected area by infiltration is near post number 1001 which is the triangular junction of Bangladesh, West Bengal and Assam. "The Assam government has no jurisdiction over that area. And we know that smuggling and other anti-Indian activities are taking place unchecked there", says Sharma.

"But the biggest threat to the north-east from these Bangladeshi infiltrators is the rise of fundamentalism in the region. Our intelligence reports have confirmed the existence of such groups here, says Sharma.... The influx continues unabated. (Source: The Times of India, 29 Dec, 1996)

Shahabuddin's Letter to Home Minister, 30 December, 1996

The Times of India has reported that massive infiltration from Bangladesh to Assam is taking place into Dhubri and the islands in the Brahmaputra.

I would suggest that all persons found residing in the border districts on a given date, should be given a Certificate of Residence so that any infiltration can be easily identified. This Certificate of Residence should not be regarded as a Certificate of Citizenship so that the case of any one having the Certificate but suspected of being a foreign national can be processed in accordance with law. But at least it will help stop the influx.

Government Statements On Repeal of Tribunals Act, 1983

... Though proposals have been received from various quarters for the repeal of the IMDT Act, 1983, no decision has been taken so far. Before such a decision is taken all aspects will be thoroughly examined.

(Minister of Home Affairs, Government of India's Letter No.11012/50/96-NE.IV dated 15 January, 1997 to Mr. S. Shahabuddin)

On Revision of Electoral Rolls

The Election Commission has already ordered revision of electoral rolls with reference to 1.1.1997 as the qualifying date in respect of Punjab and Assam. The Commission has not yet decided on revision of electoral rolls or otherwise in respect of other States/Union Territories. ...

(Source: LSUQ No. 3119 dated 13 December, 1996 by S.M. Dev and T.S. Reddy)

On Electoral Rolls, 1991 - 1996 (Major States only)

State	Total Electorate		Percentage of Increase
	1991	1996	
A.P.	42617973	49501274	16.15%
Assam	11873952	12587659	6.01%
Bihar	50453647	58438317	15.83%
Gujarat	24882508	28529094	14.66%
Haryana	9725897	11152856	14.67%
Himachal Pd.	3076182	3536517	14.96%
J&K	4217497	4455709	5.65%
Karnataka	28839296	31810069	10.30%
Kerala	19657976	20673867	5.17%
Madhya Pd.	37708721	43927252	16.49%
Maharashtra	48631193	55254414	13.62%
Manipur	1232149	1290990	4.78% Lowest
Orissa	19804564	22419118	13.20%
Punjab	13169797	14489825	10.02%
Rajasthan	26513502	30388357	14.61%
Tamil Nadu	39917777	42488022	6.44%
Tripura	1561085	1647908	5.56%
Uttar Pradesh	79454881	100826305	26.90%
West Bengal	41392460	45583054	10.12%
Delhi	6073156	8058941	32.70% Highest

Kuldip Nayar on Human Rights Situation, 1996

... The Government at the Centre and in the States ... have not taken human rights seriously. The Centre believes that it has done its duty by setting up the National Human Rights Commission. So deliberate is its neglect that even the Commission members, who were carefully chosen for their pro-establishment record, have felt let down...

None at the Centre has the time either for the Commission's protests or its recommendations. Most of its Commission members have not been able to meet ... the Home Minister. The Commission, despite the fact that it is headed by a former Chief Justice of India, has been devalued, like the Commission for the Scheduled Castes and the Scheduled Tribes or the Commissioner for the Linguistic Minorities.

The law lays down the creation of State human rights commissions on the lines of the national commission. Most States have yet to implement the law. Madhya Pradesh is one such state. Imagine who has been appointed Chairman. He is no other than Mr. J.N. Saxena, a police officer, who has carried his reputation of "toughness" from Srinagar to Bhopal.

TADA (The Terrorist and Disruptive Activities (Prevention) Act) lapsed some three years ago. It still haunts many because of the Government's misuse. Thousands were detained on mere suspicion for years. But the worst part is that even when the law expired, the victims were never given an opportunity to start their life afresh... Many TADA prisoners are still in jail... Nobody knows when (they) will be released. Inquired from the Union Home Minister, Mr. Indrajit Gupta, the other day about the number of such detenus. He said: "not many". Human Rights activists claim that the figure is in thousands. I expected a liberal person like him to say that they would either be released soon or put on trial in open courts. Knowing his past as I do, I thought he would fulminate against detentions without trials. Sad, he did not.

Only a few human rights organisations have taken up their case. No question has been asked about their plight in Parliament. No newspaper has written about them. It appears as if there is a conspiracy of silence. Yet, if the nation is to preserve the fundamental values of democratic society, every person, whether a public functionary or private citizen, must display a degree of vigilance. Without the awareness of what is right and a desire to act according to what is right, there may be no realisation of what is wrong. During the Emergency, the dividing line between right and wrong, moral and immoral, had ceased to exist. It should have been different now. There is a frightening increase in deaths in jail custody... Bihar, Delhi, Andhra Pradesh are, in that order, the worst culprits. Still the figures, the National Human Rights Commission admits, do not tell "the facts as fully as they should". The States do not give the

correct position. And, for obvious reasons, there is no report from Jammu and Kashmir...

Obviously, custodial brutality or violence does not disturb anyone's sleep in the Central Government. India refuses to become party to the 1984 Convention against Torture and other forms of Cruel, Inhuman and Degrading Treatment or Punishment. The matter came up at the Conference of the Chief Ministers on May 5 last year. But a majority of them were opposed to India becoming party to the Convention. It is a pity they wanted to countenance torture, without getting the blame for it... One would like to draw the Government's attention to an observation in a Supreme Court's judgement (Kishore Singh vs State of Rajasthan): "Nothing is more cowardly and unconscionable than a person in police custody being beaten up and nothing inflicts a deeper wound on our constitutional rights".

In fact, the Supreme Court referred custodial violence to the Law Commission a decade ago. Its recommendation was to insert Section 114(B) in the Indian Evidence Act to introduce a rebuttable presumption that if a person had sustained injuries in custody, it must be a police officer who had caused them. The Law Commission also favoured an amendment to Section 197 of the Code of Criminal Procedure so that the prior government sanction for the prosecution of the officer was not necessary. In its report, the National Police Commission had made it mandatory for a sessions judge to inquire into a custodial death. But since Indira Gandhi threw out the entire police commission report... the recommendation on deaths in custody also got killed.

If nothing else, the Supreme Court's order in the case of Joginder Singh vs State of Uttar Pradesh should have found favour with the Government of India. The order said that if a person in custody requested that his relative or friend be informed about his whereabouts, police were duty bound to do so. The order, if implemented, would have some in handy to many Kashmiris, who had no knowledge of what had happened to the person the police would pick up. Even now it is not late. Kashmir, the Northeastern States and Assam witness daily how police whisk away someone without bothering to inform his friend or relative. In many cases, the body of the person concerned was seen floating in a lake or river. No legal remedy is possible because there is no record of the person taken away.

Connected with custodial death is the postmortem examination. It is an open secret that doctors bow to police pressure when writing the report... A suggestion that the postmortem examination be video-filmed has not been accepted by many States. They hate transparency.

However, the real tragedy is that there is no let-up either in custodial deaths or police brutalities. And this is when the Union Home Ministry is headed by the communist party's former secretary-general...

(Source: The Hindu, 24 December, 1996)

Government Statements On Review of TADA Cases

National Human Rights Commission (NHRC) has not specifically recommended to the Central Government to review TADA cases. However, the Commission has been reviewing the position with regard to TADA cases since 1995-96 with representatives of the Ministry of Home Affairs and the State Governments. In its Annual Report for 1995-96, the Commission has urged that the Review Committees set up in individual States should meet regularly as has been directed by the Supreme Court. The National Commission for Minorities has, however, not made any recommendation regarding reviewing of TADA cases, although in June 1994 it had recommended repeal of TADA Act.

Apart from periodic review of TADA cases by the Central and State Review Committee, Central Government has issued instructions to the State Govts./UTs from time to time that adequate and immediate steps must be taken for early completion of investigation and prosecution of the TADA cases and they should give strict instructions to their prosecution branches not to obtain adjournment in such cases. As regards cases which are at trial stage, they have been advised to take measures to facilitate speedy trial. The Central Govt. is closely monitoring the progress in these respects.

(Source: LSSQ No. 276 dated 30 July, 1996 by G.M. Banatwalla)

On Number of TADA Detainees

S.No.	States/UTs	Commulative No. of persons arrested under TADA (1985-1995)	Number of persons under detention on 24.7.96
1.	Andhra Pradesh	7485	145
2.	Arunachal Pradesh	109	1
3.	Assam	13637	196
4.	Bihar	359	24
5.	Goa	4	277
6.	Gujarat	18686	2
7.	Haryana	2658	70
8.	Himachal Pradesh	30	NIL
9.	Jammu & Kashmir	11616	2993
10.	Karnataka	236	131
11.	Kerala	14	NIL
12.	Manipur	1694	103
13.	Madhya Pradesh	731	16
14.	Maharashtra	2537	310
15.	Meghalaya	21	2
16.	Punjab	15525	265
17.	Rajasthan	477	139
18.	Tamil Nadu	384	75
19.	Uttar Pradesh	1137	69
20.	West Bengal	531	6
21.	Chandigarh Admn.	249	5
22.	NCT Delhi	1212	282
	Total	79332	5111

(Source: RSUQ No.1154 dated 24 July, 1996 and LSUQ No.3608 dated 17 December, 1996 by I. Azmi and M. S. Jinnia)

Statistical Profile of Christian Colleges Affiliated to AIACHE

1.	A)	Total No. of Colleges	226
	B)	a) Men's Colleges	9
		b) Women's Colleges	87
		c) Co-educational Colleges	130
	C)	a) Colleges with Hostels	179
		b) Colleges without Hostels	47
2.		No. of Students	343378
	A)	a) Christian Students	127885
		b) Students of other faiths	215493
	B)	a) Boys	150695
		b) Girls	188544
3.		Teachers	15420
	A)	a) Christian Teachers	9353
		b) Teachers of other faiths	6067
	B)	a) Men Teachers	8769
		b) Women Teachers	6631
		c) Faculty-Student ratio	1:22
		(In terms of total number of teachers and students)	
4.		Hostellers	45348
		a) Boys in Hostel	26892
		b) Girls in Hostel	18456
5.		Non-Teaching Staff	11330

Dasharath Sahi On Mizoram Hindus

(Following) expedition of the British ... to Mizoram in 1870, some Gorkhas were settled in Mizoram. Later businessmen Bengalis, Marwaris, Biharis and Nepalīs (came from) neighbouring States... The Gorkhas ... called Hindus whereas the local people have been completely converted to Christianity...

... The Gorkhas live in small pockets in a few villages with their religious brethren, Bengalis, Biharis or Marwaris. (There) we find small temples made of bamboo and CGI sheets and kachcha schools up to primary and middle standards (which have Nepali as) medium of teaching...

... The Hindu population ... is about 9,000, that is 1.2%, of which the permanent settlers are mainly Gorkhas, and their population is just 5,000 that is 0.99%. Economic compulsions and lack of facilities for imparting religious training have led to conversion of some Hindus to Christianity.

... The Hindu community ... (has decided) to construct a mandir costing about 15-20 lakh (whose) construction is in full swing... But the small community is in need of financial assistance in order to complete the construction. ...

(Source: The Organiser Weekly)

All India Milli Council: Annual Conference's Political Resolution (Excerpts)

Lucknow, 31 August - 1 September, 1996

The General Body of the All India Milli Council ...

- * Notes with satisfaction that the Indian electorate have rejected the communal and fascist forces and have thwarted their ambitions. ...
- * Notes further, with appreciation, that all the political parties in parliament have honoured the mandate of their electorate and refused to join hands with the BJP despite all its efforts to win over their support during its 13-day rule. ...

... Although the UF Government at the Centre has been in power for nearly three months... It has not yet addressed itself to the issues concerning the Muslim community even though some of these had been brought to the notice of the UF Government by the Milli Council through its comprehensive note dated 1.6.1996 and subsequently through a delegation in its meeting with Prime Minister... In view of the impending election to the state Assembly in UP calls upon the Muslims:

To maintain their attitude of strongly opposing the communal and fascist forces...

To cast their votes, which is not only a valuable right but also their duty...

... To exercise their franchise with full sense of responsibility...

To vote unitedly rising above the... considerations of religion, caste, class, baradari and schools of thought...

Muslim Community:

A Minority with Majority Ethos

Muslims of India are not a mere minority, but the only all-India minority. They form the second largest Muslim community of all the countries in the world. To call them a 'minority' is to gloss over a complex problem. From the point of view of their big numbers, their social, cultural heritage and political impact, they are second biggest segment of Indian people, who exude the consciousness, the confidence and even the behaviour of majority.

Government Statement On Growth of Population

... According to the National Family Health Survey 1992-93, 40.6% are practising Family Planning.

The Survey revealed that the percentage of currently married women using contraceptive methods was:

- i) 51.0% in urban areas compared to 36.9% in rural areas.
- ii) 54.7% for women with 'High School and above' compared to 33.9% for illiterate women.
- iii) 62.6% for Jains followed by 57.6% for Sikhs, 50.4% for Buddhists, 48.3% for Christians, 41.6% for Hindus, 27.7% for Muslims and 37.4% for Others.

(Source: LSUQ No. 1411 dated 2 December, 1996 by Mukhtar Anis)

AIMMM: Special Committee for Saudi Air Crash Victims

The All India Muslim Majlis-e-Mushawarat has constituted a Special Committee to look after the disposal of compensation to the immediate relatives of the victims of Saudi and Kazakh airline crash, consisting of:

1. Mohd. Salim Qasmi, President, AIMMM
2. Syed Shahabuddin, Vice-President, AIMMM
3. Syed Yusuf, Secretary, AIMMM
4. Saifuddin Soz, Member, AIMMM
5. Salman Khursheed, Former Minister of State
6. Waseem Ahmad, MP
7. Ejaz Maqbool, Advocate, Supreme Court
8. H.S. Poolka, Advocate, High Court
9. N.D. Pancholi, Advocate & General Secretary, CFD

The bereaved families may like to contact the Committee at the following addresses:

AIMMM

E-3, Abul Fazal Enclave,
Near Scholar School,
Hari Kothi, Okhla,
Jamia Nagar,
New Delhi -110 025.
Tel: 6927004

OR

D-308, Dawat Nagar,
Abul Fazal Enclave,
Jamia Nagar,
New Delhi-110 025
Tel: 6848341
6820975

OR

Office of the Muslim India Monthly,

33, Feroze Shah Road,
New Delhi - 110 001.
Tel: 3782059

Memorandum of All India Meo Conference to Prime Minister H.D. Deve Gowda, 5 January, 1997 (Excerpts)

... For the last 50 years we remain neglected. The people are fully confident that the following request would be considered by your goodself:-

1. Immediate sanction and construction of Mewat Canal after its inclusion in the 9th Five-Year Plan with funds from the Central Government.
2. Establishing Referral Hospital at Nagina of at least 100 beds.
3. Industrialisation of Mewat area to create employment opportunities... for the unemployed youth.
4. Creation of small educational institutions to impart job oriented education.
5. Special quota for recruitment of Meos and their reservation both in State and Central Govt. jobs.
6. Special recruitment of Meos in Military and Para-Military forces like CRPF, BSF, CISF, ITBP, RAF etc. with a recruitment centre in Mewat area at Nuh.
7. Opening branch office of Minority Development Finance Corporation at Nuh in Mewat.

Comments on SIMI's Khilafat Campaign

Varsha Bhosle in the Sunday Observer

On October 7, tucked away from the front pages, a small PTI news item reported a symposium held at the Haj House in Mumbai and organised by the Students Islamic Movement of India to call for establishment of Khilafat... The symposium was but a prelude to a 10-day nationwide campaign to be launched on November 28, and was attended by delegates from Burma, Palestine and ... Iran. In his address, the organiser of the campaign, Mohammed Adil Khot, urged Muslims worldwide to strive for the creation of Khilafat as, without it, Islam is incomplete... (and) decried the evils of nationalism which had manifested in world wars, massacre of innocents in Chechnya and Bosnia, and attacks on mosques such as the Al-Aqsa... The President of the symposium, Maulana Mujibullah Nadvi, director of Jamiat-ur-Rashid of Azamgarh, UP, said that nationalism gave rise to Fascism on the basis of caste, colour, race and nationality - and became a rallying point for the exploitation of weak nations... As the PTI mentions deputies from Iran at SIM's symposium, I wonder if the reporter got a bead on every foreigner present... More urgent is the question whether the police monitored a meeting calling for, in effect, the rejection of the authority of the State and the Constitution - the same attended by aliens... The concept of Khilafat ... urges all Muslims to unite into a 'single nation devoid of geographical boundaries and regional loyalties. In other words, an Indian Muslim must identify more with a Pakistani Muslim than with his own Hindu neighbour. And if he must respect a temporal government, it should be one such as Saudi Arabia's: the Muslim ethos must always supersede an Indian ethos. The SIM campaign scheduled for next month is going to add fuel to the already volatile affairs of India.

There is another aspect to Khilafat... Its ultimate aim is the Islamization of the world. For, like Christianity, and unlike Hinduism, Islam is a proselytising religion...

...The gentlemen of SIM: are doing exactly what is expected of and predicted about them. They are precisely what secularists have been saying they aren't: anti-nationalists to the core and with allegiance elsewhere. They have simply endorsed what the RSS has been saying ... all along. But what does one make of the conspiracy of silence among the otherwise clamorous secularists and hawk-eyed editors who cry foul the minute any Hindutvawadi group even sneezes? ... A certain Indian daily is secretly being funded by a certain tremendously rich sultan... To safeguard Islam in a foreign land, some smuggle in men with guns and RDX, and others sneak in those with pens. I can't say which modus operandi is deadlier...

G.M. Sharma in the Organiser

... The anti-nationalist poison being spewed by the Muslim fundamentalism surfaced during the Millat Jagriti Abhiyan (community awareness campaign) ran from November 27 to December 8 by the Students' Islamic Movement of India (SIMI). Posters and wall-paintings proclaimed that Nationalism poses a threat to Islam, that nationalist movements are anti-Islam and anti-caliphate (the ideal Islamic rule). These posters and writings were the talk of the town in Mumbai and Nagpur where they were displayed prominently at Muslim majority localities. "Nation worship, the biggest idol among all. Existence of Nationalism, a death threat to Islam", says one poster that calls upon the community to "crush the idol", which it claims, is the "first step towards re-establishment of caliphate"

"That Muslims are not happy in a democracy they should struggle for the setting up of caliphate - the ideal of Islamism. Today, whatever problems Muslims are facing is mainly because of the fact that they have moved away from their roots. More blood has been shed on Nationalism than religion. The future of Muslims in this country is buried in the darkness of abysmal depths. If Muslims are to save themselves from this, there is only one way, that is to re-establish Caliphate", says a SIMI declaration. The question is not who agrees with them. It is about who disagrees with them and summons enough courage to protest. Where are the Islamic scholars? Why are the professional 'secularists' silent? What are the

The Organiser Weekly

... (Even if) Caliphate can be set up in Islamic countries, what about those countries that do not have the Muslim majority? Will the latter be won over by waging medieval war? Are Muslims so powerful that they will be able to establish caliphate rule all over the world? If caliphate has relevance in only Islamic countries, then what would be the treatment meted out towards minorities in such countries, who are non-Muslims? Will they be converted to Muslim community? Or will they be forced to migrate? Today no country tolerates aliens; in such a contingency where will non-Muslims go?

Those Muslims who stay in different countries - where will they be settled in the context of caliphate? Today no country is prepared to accept Bangladeshi, Kurd and Afghan refugees. So, where will Muslims coming in such large numbers be allowed to settle? If they are excited for jihad, who will give them arms? If there is war, will other countries be mere spectators? ...

(Source: The Organiser, 8 December, 1996)

Making India Hindu by David Ludden

Review by Kuldeep Kumar

The demolition of Ayodhya's disputed Babari Mosque on December 6, 1992 by a determined mob of karsevaks owing allegiance to the RSS clan and Shiv Sena made many an observer of the South Asian scene sit up and gape in horror. The premeditated destruction of the historic monument on the specious plea that it was a symbol of the insult heaped on the Hindu community by Muslim invaders gave a tremendous jolt to those who had entertained stereotyped notions of Hindu tolerance... This excellent collection of essays is an outcome of the realization, explained by editor David Ludden in his prefatory remarks that "In December 1992, it became obvious that college teachers do not have good enough books at hand for teaching about the recent history of politics and communal conflict in India".

Taking the Babari Masjid demolition as its starting point, the University of Pennsylvania's South Asia Regional Studies programme organised a series of seminars during the academic year 1993-94 and some of the papers presented and discussed at these seminars have been included in this volume...

Ludden's scintillating Introduction offers a most absorbing reading and, even though he admits that "many ideas from seminar papers and discussions have been included", his understanding of the Hindutva project "to make India Hindu" is truly remarkable. He questions the conventional intellectual identification of "India" with the terms "Hindu" and "Hinduism" and reminds the reader that "Islam is as old in India as in Turkey. Indian Islam is older than American Christianity and European Protestantism. Indian Islam is no more derivative than Chinese, Tibetan, Thai or Japanese Buddhism". He draws attention to the fact that for Hindu nationalists (Ludden fights shy of calling them communalists), the idea that Islam appear foreign to India is axiomatic. The logical corollary of making Islam appear foreign to India is the Hindutva project to make India Hindu.

Ludden provides an illuminating discussion of the attitudes displayed by the foreign media which unconsciously takes frequent recourse to phrases like "predominantly Hindu India". The role of the European imperialism in fashioning an image of India consistent with its Orientalist notions has also been discussed, underlining the tendency of the colonial master to term any kind of social or interpersonal conflict as "communal". Ludden also draws attention to the fact that majoritarian Hindu nationalism's assumption are acquiring a common sense quality and "increasing the power and authority of these ideas and drowning out their intellectual competition are critical in the project of making India Hindu." One has to only recall the campaign launched against the NCERT's history text books during 1977-78 by those owing allegiance to the Jan Sangh constituent of the ruling Janata Party at the Centre. In the

recent past, BJP governments in UP and MP introduced many changes in text books of various disciplines to suit the RSS view of history. The sophistication and success with which the BJP and its other allies have used images, symbols and calendar art to create an atmosphere of pseudo-religiosity is amply brought out in Richard H. Davis's essay on "The Iconography of Rama's Chariot", focusing primarily on L.K. Advani's controversial Rath Yatra... It is another matter, as Sumit Sarkar in his article "Indian Nationalism and the Politics of Hindutva" so ably analyses and as current shenanigans in the BJP so amply demonstrate, the Hindutva party itself has fallen prey to the reality and power of caste as an identity-determining factor in Hindu society. Sarkar also argues that in the mainstream historiography of Indian nationalism, caste, especially lower-caste aspirations, have been either inadequately dealt with or completely glossed over.

In her paper entitled "Mass Media: Images, Mobilization and Communalism" Victoria L. Farmer too takes up the question of how the Hindutva brigade made the most comprehensive use of latest media technologies and how the familiar images of Ram in the hugely popular television serial Ramayana were cleverly exploited by Advani in the course of his Rath Yatra. However, it is a little difficult to agree with her when she approvingly informs that "many scholars have come to the conclusion that the serialisation of the Ramayana on Doordarshan was fundamental to the project of fundamentalism, creating a shared symbolic lexicon around which political forces could mobilize communal praxis... The serialisation of Ramayana ... was certainly not central to its project. The Hindutva forces ingenuity lies in taking full advantage of the atmosphere created by the telecast of such serials. Similarly, it is difficult to see the link between Sanskritisation of Hindi on All India Radio and the rise of Hindu nationalism... because as Farmer herself records, the change in the government-controlled electronic media's language took place as early as the first years of Indian independence. Farmer's assertion that the AIR devalued the contribution of Muslim musicians is palpably untrue. In the section of the role print media in promoting the Hindutva project, most of what she says is familiar stuff.

Amrita Basu offers valuable insights into the dynamics of the expansion and consolidation achieved by the Hindutva forces by affirming that the Ram temple movement was both a mass movement as well as an elite conspiracy. However, her article ... paints a picture as if the RSS, VHP and BJP were functioning in a political vacuum without paying any attention to the gradual but continuous decline of the Congress as the foremost spokesman of a pan-Indian, secular nationalism and the organisational paralysis that afflicted it during the years

(Contd. on page 80)

Rita Manchanda on Peace March by Indians and Pakistanis in Calcutta

... What were these hundreds of Pakistanis doing walking hand in hand with Indians on December 31? With one voice they cried, "no to war, we want peace", and Ek Mata, Do Santan - Bharat aur Pakistan", as they wound their way past College Square to Esplanade. Fifty years after a people were divided and boxed into antagonistic nationalist ideologies which preached hatred and enmity, 500 citizens of India and Pakistan were ... trampling on the walls of prejudice which kept them apart. Among them were the nostalgic who dreamt of confederation. There were the romantics who basked in the glow of a symbolic lighting of candles on either side of the border. There were others to remind them that the wounds were too deep. But, above all, there was a common recognition that state-sponsored ideologies, demonising "the other", had militarised the polity and civil society. The nationalist discourse has been reduced to a security complex, subverting democratic rights and eroding pluralistic space in both countries. War and war preparations have drained resources from health and education, and kept millions poor...

The citizens of India and Pakistan now want to forge a new pro-peoples agenda, to show the leadership in both countries that there is a constituency for peace and for working together, without peace, democracy will be a chimera. ... The vision which inspired a group of Indians and Pakistanis in Lahore, in 1994 to found the Pak-India Peoples Forum for Peace and Democracy - the vision of a peoples movement for cross border democracy - was realised in Calcutta. Earlier, in 1995, in Delhi and Lahore, 200 Pakistanis and Indians had met to discover that they agreed more, than they disagreed, even on contentious issues like Kashmir, arms build up, nuclear weapons and minority rights.

In Delhi, it took courage for citizens to cut through the jingoism of Kashmir as an integral part of India and urge their respective governments to recognise that "Kashmir is not merely a territorial dispute between India and Pakistan... (and) requires a democratic solution which involves the people of the Jammu and Kashmir." In Lahore, it took courage to call for a reduction in force levels by 25 per cent, to urge the two governments to prevent cross border support for insurgencies and proxy wars and to call for India and Pakistan to conclude their own Comprehensive Test Ban Treaty.

The importance of the Forum's Third Convention in Calcutta was that for the first time it became a people's movement... (and) held the first ever public rally of Pakistanis and Indians. As C.M. Jyoti Basu reported remarked, "If 200 Pakistanis have the courage to come, then the least West Bengal can do is to make them welcome". And Jyoti Basu himself, with infinite patience, posed for photographs with groups of Pakistanis, a

treasured memento of an evening with the man who could have been India's Prime Minister.

For the Pakistanis, there was a consciousness of making history. About 145 of them had walked across the strip of no-man's land between Wagah and Attari to reopen the road from Lahore to Amritsar. It had been closed since 1983, a symbol of the obstacles put up to keep the two peoples apart. At Attari, immigration had no information about a special dispensation for the Forum's delegates to walk across. It took five hours to traverse the immigration pickets dotting the strip. Then into trains...

Reopening closed roads, reading each other's newspapers and books, and peoples on both sides freely coming across, is the surest way to break down the "enemy" stereotype to discover the many "other voices" in India and Pakistan beyond the voice of an establishment locked in a confrontationist mindset.

As Nirmal Mukarji, the Chairperson of the Forum's India chapter said, "as more people come across and see for themselves, the demonising of India and Pakistan as enemy" will fall apart. His Pakistani counterpart, I.A. Rahman, reflected on now ... the ordinary people had no road or rail link...

But moving from competitive to cooperative politics is never easy. At the Press conference, reporters made an issue of the fact that India was relaxing its visa regulations and Pakistani artists were performing here, but Indian artist could not go to Pakistan. Rahman gently interposed, "till recently even Pakistani artists were not allowed to perform in Pakistan". Mukarji called for Big Brother India to unilaterally pull down the barriers...

(Source: The Hindustan Times, 12 January, 1997)

A Statement on Gujral Doctrine External Affairs' Minister I.K. Gujral On Neighbour hood Policy, London, 23 September, 1996

... The United Front Government's neighbourhood policy now stands on five basic principles: First, with the neighbours like Nepal, Bangladesh, Bhutan, Maldives and Sri Lanka, India does not ask for reciprocity but gives all that it can in good faith and trust. Secondly, no South Asian country will allow its territory to be used against the interest of another country of the region. Thirdly, none will interfere in the internal affairs of another. Fourthly, all South Asian countries must respect each other's territorial integrity and sovereignty. And finally, they will settle all their disputes through peaceful bilateral negotiations. These five principles, scrupulously observed, will, I am sure, recast South Asia's regional relationships, including the tormented relationship between India and Pakistan, in a friendly, cooperative mould. ...

Prime Minister's Statement on Sharing of Ganga Waters,

Lok Sabha, 12 December, 1996

... I am honoured to state that I and the Bangladesh Prime Minister have today signed a new Treaty on the sharing of the Ganga Waters. We are confident this Treaty would be a landmark in our bilateral relations. The Treaty protects the interests of India and at the same time helps Bangladesh by providing a share of the Ganga waters to that country.

... According to the Treaty, the sharing of Ganga Waters at Farakka between India and Bangladesh will be on the basis of a formula.... The key merit of this formula is that it shares available waters on a basis which is fair and equitable. The formula also takes into account the basic requirements and minimum needs of both sides. Therefore, during the critical period within the lean season i.e. from March 1 to May 10, India and Bangladesh each shall receive a guaranteed flow of 35,000 cusecs of water in an alternating sequence of three 10-day periods each. This is aimed at meeting the fundamental requirements of both our countries through a just and reasonable sharing of the burden of shortage. The Treaty also has the merit of being a long term arrangement combined with scope for reviews at shorter intervals to study the impact of the sharing formula and to make needed adjustments. While the Treaty will be valid for 30 years and renewable on mutual consent, there is a provision of mandatory reviews at the end of 5 years and even earlier after 2 years with provisions for adjustments as required. Pending a fresh understanding after the review stage, Bangladesh would continue to receive 90% of its share in accordance with the new formula. We would thus avoid a situation where there is no agreement on the sharing of the Ganga waters between India and Bangladesh.

The signing of the Treaty between India and Bangladesh is a fitting tribute to the special quality of our relations. Indo-Bangladesh cooperation is based on a history of shared sacrifices, sanctified with the blood of the martyrs who laid down their lives in 1971. It is entirely appropriate that this Treaty comes on the even of the 25th anniversary of the liberation of Bangladesh which was a momentous landmark in the history of our continent. With the signing of this Treaty, we expect to usher in a new era in Indo-Bangladesh relations... An entirely new phase of cooperation... We have already taken initiatives ... by extending tariff concessions to Bangladesh on a range of products of export interest to them. We propose to extend commercial credits of Rs. 100 crores to enhance trade relations further. We are working together with Bangladesh to ensure appropriate development and security in our entire eastern region. ...

Both India and Bangladesh cooperate very

Bangladesh: Demands of Bangladesh Hindu Bouddha Christian Oikya Parishad Central

Executive Committee Meeting,

15 November, 1996

... The Awami League, the main political force in the Liberation war has won a majority. Despite this fundamentalist communal forces are still active. Although this election has ensured the path of democracy, equal rights, and the rule of law, the future does not look very bright... The Government and the ruling party ... will hesitate to take any step against the existing communal constitutional system, while continuing to use religiosity as a political tactic... With regard to equal rights, this government will not adopt a clear-cut plan of action... The Meeting decides to extend its cooperation in political, social and civic activities, while simultaneously putting pressure on the government in solving the problems of the minorities through dialogue as well as through an issue-based campaign...

The following demands will be placed before the government:-

- a) Readoption of the Constitution of 1972...
- b) Establishment of a "Parliamentary Minorities Rights Commission" with the aim of ascertaining the reasons for minorities leaving the country...
- c) Formation of a "Minorities Right Implementation Council" at government level ... for rapid solution of various problems faced by the minorities...
- d) ... Representation of minorities in all representative organisations including the Parliament on the basis of joint electorate... Reservation of seats for eligible minority candidates in education and employment...
- e) Promulgation of Ordinance on the pattern of the Wakf Ordinance to safeguard religious places and Repeal of Vested (Enemy) Property Act...
- f) Reconstruction of religious institutions destroyed or damaged in communal riots.

The Committee demands appointment of three Cabinet Ministers and three Deputy Ministers from the minorities...

... The Committee will encourage qualified candidates from the minority communities to contest forthcoming local government elections and appeals to the religious minorities to vote in favour of candidates who favour democracy. ...

extensively in regional fora such as SAARC and it shall be our endeavour to take this cooperation forward so that a new and a more constructive framework of relationships can be built up in our sub-continent to the mutual benefit of the people of all countries.

The visit of the Bangladesh Prime Minister is an event of historic significance...

Organization of Islamic Conference

Documents on Status of Muslim Communities

I-22nd Meeting of Foreign Ministers,
Casablanca (10-12 December, 1994):

Recommendations on Muslim Communities in Non-Members States -Excerpts

... Urges Member States to pay due attention to the problems faced by the Islamic communities and minorities living in Non-OIC Member States, to play an effective role in protecting them, and to do their utmost to induce the countries where they live to recognize their right to full citizenship, grant them all their civil and religious rights and treat them equitably in accordance with the principles of human rights and fundamental freedoms stipulated in international conventions and treaties.

Requests the Secretary General to make contacts with the Member States having communities of their nationals living in Non-Member States to become acquainted with their experiences and efforts to preserve their identity and authentic heritage. ...

Calls upon the OIC member States to carry out individual and collective contacts with Governments of Non-OIC Member States concerned so as to ensure the safety and integrity for the values and rights of the Muslim communities and minorities and further calls upon the OIC Member States to consult among themselves about action to be taken in cases of violation, aggression and occupation against Muslim communities and minorities.

Appreciates the Secretary General's recent statements which highlighted the anxiety and concern of the Islamic Ummah over the desecration of Islamic Holy Places and requests the Secretary General to continue his efforts aimed at protecting the heritage and sacred values of Islam in non-Member States.

Requests the Secretary General to continue to monitor the developments concerning the situation of the Muslim communities and minorities in various non-OIC Member States, to contact the governments of States with Islamic minorities and communities and to cooperate with Islamic associations and institutions, as well as with relevant international organisations, for implementation of the adopted in this regard. ...

practice religious fanaticism vis-a-vis Islam and Muslims. Indeed, ever since the partition of the Indian sub-continent into two States: Pakistan and India in 1947, the Indian Muslims have been living under difficult conditions and facing increasing threats and aggression, for reasons that are absolutely unfounded. There emerged on the Indian political scene an extremist Hindu trend adopted by fundamentalist Hindu Organisations and parties. These parties launched a vehement campaign of hostility against Muslims by focusing on a fallacious claim that the historical Al-Babari Mosque, which is a symbol of the religious culture of Muslims in India, as well as over three thousand other mosques in India, were built on the sites that witnessed the genesis of Hindu gods.

On 6 December 1992, hundreds of thousands of Hindu extremists in the city of Ayodhya in the province of Uttar Pradesh, assailed the historical Babari Mosque, demolished it and set up on its ruins a temple to worship their god Ram, with the support of the local government of Uttar Pradesh which was then in the hands of the Bharatiya Janata Party, and due to the failure of the Central Government to take any measures to protect the mosque from the attacks of the extremist Hindus, though the time and place of the attack were both known in advance. After the destruction of the mosque, there were violent clashes which resulted in the devastation of the houses of thousands of Muslims many of whom were killed. Since then the life and property of Muslims, as well as their religious and political rights, are jeopardized.

The Indian Government which unfortunately took no effective measure to honour its responsibilities towards the Indian Muslims, laid the blame at the doorstep of the Bharatiya Janata Party in this respect, dismissed the local government of Uttar Pradesh, banned the activities of three Hindu and two Muslim organisations, and declared its intention to rebuild the mosque. However, it did not commit itself concerning the location of the proposed new mosque, whereas it allowed Hindus to perform their worship at the makeshift temple that was erected on the site of the demolished mosque. Such a state of affairs does not give any guarantees to the Indian Muslims, nor would it be conducive for return to normalcy.

In an official statement issued on 7 December, 1992, the OIC Secretary General strongly condemned the demolition of the Al-Babari Mosque and urged the Indian Government to promptly adopt adequate measures for the protection of the life and property of Muslims, and the

preservation of their religious and cultural rights. And on the basis of a recommendation from the Secretary General, the enlarged meeting of the Sixth Islamic Summit Bureau and the Chairmen of the Standing Committees strongly condemned in its final declaration, issued in Dakar, Republic of Senegal on 11 January, 1993 the acts of destruction perpetrated by the extremist Hindus against the Al-Babari Mosque which is considered as one of the Islamic time honoured antiquities, and expressed deep regret at the loss of thousands of lives. The Bureau also expressed the Muslims' deploration of the fact that the extremist Hindus were allowed to perform their religious practices on the site of the mosque they had demolished.

The Bureau also called upon the Indian Government to adopt every necessary measure to ensure prompt implementation of its commitment to rebuild the mosque, and at its original location. The Bureau further urged the Indian Government to take effective measures to protect the human rights of Muslim in Indian, and particularly their religious and cultural rights, their mosques and other sacred shrines. The Bureau invited the Islamic States to make effective and concerted efforts, both individually and collectively to ensure the protection and preservation of the Islamic Shrines.

The Twenty-first Islamic Conference of Foreign Ministers (Karachi, 1993) expressed deep concern over the exactions perpetrated against Muslims in India in the form of killings and aggressions against their shrines. The Conference also strongly condemned the demolition of the historic Al-Babari Mosque in Ayodhya (India) at the hands of extremist Hindus. The Conference called upon the Indian Government to ensure the reconstitution of the mosque on its original site without delay.

The Indian Government is responsible for the protection of the lives and property of Muslims and the preservation of their mosques in conformity with the stipulations of the Indian Constitution providing guarantee for all minorities to practice their religious rites in freedom and to live in peace. ...

III - General Recommendations

In order to establish bonds of solidarity and closeness with these Muslim communities, the Secretary General urges the following:

1. To further collect sufficient data on Islamic communities and minorities in each state and region of the world so as to recognize the reality, conditions and needs of everyone of them.
2. That the OIC Member States should play an effective role in protecting Muslim communities by exerting official efforts to urge States with Muslim communities to recognize their right of citizenship, and abide, in dealing with them, by the principles of

human rights which have been approved by international charters and conventions, to firmly act to stop all forms of aggression against basic freedoms, wealth, property, Islamic traditions and identity of these Muslim communities.

3. Action should be taken to intensify the various cultural, educational and humanitarian activities so as to extend further care aimed at improving the social and religious conditions of Islamic communities and minorities.
4. To pay attention to women culture and preparation of women groups who will perform the task of Islamic Dawah among the women of Islamic communities and minorities.
5. To intensify efforts aimed at issuing simplified Islamic books which contain basic information on Islam, its principles and rites, and translating them into languages understood by these Islamic communities and minorities. This is also one way to Arabize their Islamic culture.
6. That action should be expedited for the drawing up of an Islamic plan of action to be adopted by Islamic bodies, members of the OIC Committee on Coordination Islamic Action, to ensure the realization by Muslim communities in all parts of the world of their objectives of dignity and honour as well as of preservation of their faith and its consolidation in the hearts of their future generations.
7. That the necessary material and financial resources should be provided to the Secretary General of the OIC, so that he may be able to continue to play his effective role in protecting Muslim communities in non-Member States from oppression due to their religious beliefs and to enable them also to fully and effectively contribute to the development of their respective communities. The possibility of establishing an OIC Fund, in which the Member States may contribute voluntarily, for the benefit of the Muslims in non-Member States may be considered.

IV - General Secretariat's Paper on Situation of Muslim Communities and Minorities in Non-OIC Member States, November 1995

In India: where the number some 120 million, accounting for one third of the total world population of Muslim communities and minorities, Muslims are suffering various forms of sufferings, spearheaded by the extremist Hindu bias, adopted by hardline Hindu organizations and religious rites by destroying their worshiping places, particularly those whose construction dates back to many centuries ago such as the historical Babari Mosque, which dates back to the 14th century of the Christian era, and which was demolished on 6

December, 1992. And the Indian Government is still temporizing as to the implementation of the pledge it had taken for reconstruction of the mosque on its original historic site, despite the repeated appeals of the OIC, the international organizations and the Islamic world public opinion. Also, the Islamic minority in the Indian peninsula is facing a new problem stemming from a ruling issued by the Indian Court of appeal for the implementation of standardized civil legislation to all Indian citizens, including Muslims. This ruling gave rise to infuriated responses among Muslims in India. The Indian government needs to be called upon to pay due consideration to the feelings of Muslims, especially as to their religion, their culture, and their civilization, and not to apply this ruling to them.

In the usurped land of Kashmir: The Muslims who form a majority in this Muslim province are facing various forms of aggression and illegal and inhuman practices for no other reason than their claiming their right to self-determination as granted to them by the UN resolutions.

**V - Resolution OIC: 23rd Meeting of Foreign Ministers, Conakry, 9-12 December, 1995
On Situation of Muslim Communities and Minorities in Non-Member States**

... **Urges** Member States to keep paying due attention to the Muslim communities and minorities living in Non-OIC Member States, to play an effective role in protecting them, and to do their utmost to induce the countries where they live to recognize their right to full citizenship, grant them all their civil and religious rights and treat them equitably in accordance with the principles of human rights and fundamental freedoms stipulated in international instruments and treaties. ...

Calls upon the OIC Member States to carryout individual and collective contacts with Governments of non-OIC Member States concerned so as to ensure the safety, dignity and integrity for the values and rights of the Muslim communities and minorities and further **calls upon** the OIC Member States to consult among themselves about action to be taken in cases of violation, suppression, aggression and occupation against Muslim communities and minorities. ...

Decides to form an open-ended Inter-governmental Group of Experts which is to commence work in 1996 to consider the situation of Muslim Communities and Minorities in Non-Member States of the Organization of the Islamic Conference as well as to consider the problems faced by these communities and minorities so as to find appropriate solutions within the framework of respect for the sovereignty of the States in which they live. ...

Saudi Arabia: Renovation of the Ka'aba

... The Ka'aba the focal point of a billion Muslims worldwide needed renovation as the wooden pillars that supported its roof had decayed over the years.

The "Saudi Gazette", Jeddah, has reported that the three supporting columns and the roof have been completely, rebuilt with sandalwood. The stairs inside the Ka'aba that lead to the roof were also built with marble, along with the sides of the walls up to height of three metres.

The door of the Ka'aba made up of 270 kilos of gold, was not touched... The dimensions of the Ka'aba remain the same. The Bin Laden Group of Saudi Arabia which is one of the largest private construction companies in the world, undertook the work. It was also responsible for the expansion of the two Holy Mosques.

The first time the Ka'aba was renovated in 1957 when the late King Saud ordered a new roof to be built and maintenance was carried out on the walls. At the time Holy Haram also underwent an expansion.

Government Statement

On International Conference on Afghanistan

The Government of India ... participated in the International Conference on Afghanistan, sponsored by the UN Secretary General at New York on 18 November, 1996. Other participants were USA, Britain, France, China, Russia, Germany, Italy, Egypt, Japan, Pakistan, Iran Kazakhstan, Kyrgystan, Saudi Arabia, Tajikistan, Turkmenistan, Turkey and Uzbekistan.

In his summation ... the UN Secretary General emphasised that the message to the Afghan parties was the unanimous conviction that there was no military solution to the conflict in Afghanistan and that an immediate cease-fire and demilitarisation of Kabul should take place. The central role of the UN in peace efforts in Afghanistan was supported by all participants.

(Source: LSUQ No. 1322 dated 2 December, 1996 by Mukhtar Anis)

(Contd from page 76)

if his Government had the requisite strength in Parliament. ... Of particular concern to leaders of Muslim society should be the intrusion of reservation policy which has the inherent danger of formalising a caste system repugnant to the tenets of Islam...

... It is shocking that Deve Gowda is determined to move a bill to amend the Constitution to enlarge the reservation ambit. The ulterior motive of such amendment is to do away with any ceiling on the quota system. The task of ameliorating the lot of the common man is stupendous and reservation is a hopelessly flawed short-cut... It is time intelligent opinion is mobilised to combat the politicians' myopic conspiracy.

Chronology of the Month

(16 December, 1996 - 15 January, 1997)

NATIONAL POLITICS:

Congress: *Following decision by the Working Committee Congress President Sitaram Kesri asks P.V. Narasimha Rao to step down from the leadership of the Parliamentary Party (CPP) (18 Dec). Kesri unanimously elected CPP Leader. Nominates Sharad Pawar as Leader in Lok Sabha (3 Jan). Arjun Singh and N.D. Tiwari finally readmitted to Congress (9 Jan). Shahabuddin welcomes changes in Cong. (9 Jan). Kesri blames Rao Govt. for delay in Rajiv Gandhi murder probe and proposes 6 months extension to Jain Commission. Congress leader J.N. Mishra continues attacks on Kesri (14 Jan).

United Front: *Congress gives warning signals to UF Government; demands consultations on major issues; sets up Cell in Parliamentary Party under Manmohan Singh to monitor functioning of Government. Kesri clarifies that Congress has no plan for mid-term election or withdrawal of support. PM Deve Gowda calls on Kesri (8 Jan). Congress leader Sharad Pawar asserts readiness for mid-term polls if UF Government falls but Congress will not tolerate compromise on secularism (11 Jan). Pawar criticises UF for hurting investment climate by indiscriminate raids (12 Jan). HM Indrajit Gupta doubts induction of Congress Government if UF Government collapses; predicts BJP rule. PM Deve Gowda acknowledges efforts to topple government but expresses confidence about its stability. Kesri assures CPI(M) leader Surjeet on continuing support to UF Government (27 Dec). UF Steering Committee sees no threat to Government (15 Jan).

CPI(M): *CPI(M) leader Jyoti Basu describes CPI(M)'s decision not to join UF government 'under his leadership' as a historic political blunder and sparks public debates (31 Dec).

Janata Parivar: *JD President Laloo Prasad disclaims rumours of alliance with Kesri to oust Gowda.

JD: *Bandh organised in Bihar by Left parties against Laloo Prasad Government paralyses life (18 Dec). Congress, Left, BJP and Samata leaders threaten state-wide agitation if Laloo Prasad does not resign after service of charge-sheet. Following interrogation of Laloo Prasad by CBI, Bihar JD takes to street violence and disrupts air, rail traffic (9 Jan). Laloo Prasad talks tough and asserts right to continue in office even after being charge-sheeted. *SP leader Mulayam Singh Yadav lashes out at Bihar Government (9 Jan). State SP President Pappu Yadav demands dismissal of Laloo Yadav. JD political Affairs Committee ignores developments in Bihar.

*Court grants bail to V. Venkatagiri Gowda author of two defamatory books against PM (7 Jan).

Samajwadi Janata Party: *Former PM Chandra Shekhar proposed as consensus choice as Congress Parliamentary Leader by J.N. Mishra. Chandra Shekhar ridicules suggestion and prophesies doom for Congress under Kesri. Criticises condemnation of political leaders like Rao and Laloo for corruption in anticipation of judicial verdict. Opposes statutory status of autonomy for CBI (16 Jan).

BJP/Sangh Parivar: *BJP leaders court arrest in Delhi to protest against rising prices and failures of UF Government (13 Dec). BJP President Advani charges Congress with plot to grab power through back door (31 Dec). BJP leader Vajpayee sees possibility of mid-term election but does not foresee Congress Government (6 Jan). *RSS reportedly unhappy with internal developments in BJP. Organises camp of RSS Pracharaks active in the BJP and decides to train more political activists (17 Dec). BJP National Minority Cell meets in Agra and offers 'equality' to minorities (7 Jan). 30 odd top leaders of BJP and RSS held conclave near Mumbai to redefine ideology, objective and direction of BJP; RSS stresses return to Hindutva and seeks

to control BJP (11 Jan). *VHP decides to work actively among SC/ST communities to consolidate Hindu unity. G.S. Singhal criticises recognition of the Jains as religious minority, demands ban on AMU and Tablighi Jamaat and activates its conversion programme, threatens agitation in Mathura and Varanasi (12 Jan).

*Shiv Sena leader Bal Thackeray describes Gandhiji's celibacy as fraud. Grandson goes on 2 day protest fast (27 Dec). All non-BJP parties strongly condemn Bal Thackeray. Shahabuddin demands prosecution (31 Dec). Thackeray describes Gandhiji as 'Mahamanav' (13 Jan).

Situation in UP: *Supreme Court stays Allahabad High Court order quashing President's Rule and its ratification by Parliament. UP continues under President Rule. Failing to agree on terms for alliance, BSP President Kanshi Ram rules out understanding with BJP and SP turns to Congress for support.

Punjab Assembly Election: *Negotiations for forthcoming Assembly elections in Punjab having failed, Congress goes it alone and BSP finds new partner in Akali Dal (Mann), paving way for triangular contest.

Secularism: *President Sharma holds Shabad Kirtan in Rashtrapati Bhawan to mark birth anniversary of Guru Gobind Singh (15 Jan). Doordarshan announces plan for mega serial 'Om Namah Shiva' beginning 27.1.97, apart from recast of 'Mahabharat' and 'Krishna' (15 Jan).

Corruption: *Berlin-based Transparency International names India among top 10 corrupt nations. *Government proposal to instruct CBI to seek prior approval before investigating charges against Ministers widely criticised. Congress leader Antony condemns it as move to make CBI hand maiden of establishment. CBI opposes move. Shahabuddin cautions PM against retrograde move and suggests constitutional or at least statutory authority for CBI.

Right to Information: *Supreme Court describes phone tapping as violative of Fundamental Right to privacy but permits such tapping with proper authorisation and review.

Terrorism: *Several catches of RDX in various places reported.

Bangladesh Liberation: *Parliament commemorates the 25th anniversary of liberation of Bangladesh (16 Dec).

KASHMIR SITUATION:

Political Development: *APHC leadership decides not to respond to notices from Income-tax authorities. *Azad Inquilabi leader of Mahaz-e-Azadi suggests reform of Army operation followed by debate and discussion to solve Kashmir problem, recognises that both India and Pakistan are averse to sovereign Kashmir. *Kashmiri Pandit's Punan Kashmir demands investigation of killings, relief and rehabilitation of migrants by Central Government and creation of homeland in Valley (28 Dec). *State Congress criticises Farooq Abdullah Government for inability to stop infiltration of militants (9 Jan). *Farooq Abdullah vows to continue battle against militancy (13 Dec), defends presence of Army in Valley (18 Dec), reiterates demand for implementation of 1952 Agreement on Autonomy (21 Dec). Vows continuance of anti-militancy operations until restoration of normalcy (24 Dec), predicts failure for militant's effort to separate Kashmir from India (30 Dec). Presides over unified command and declares all out war against militancy (14 Jan), cautions security forces against custodial deaths and excesses. *Home Minister Indrajit Gupta visits State, claims great improvement in security situation. Promises erection of barbed wire fence along 100 km. Indo-Pakistan border in State. *MOS M. Dar rules out autonomy

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beyond provisions of Constitution, demands replacement of Governor, considers Karan Singh Committee as unrepresentative, rules out separate homeland for Pandits.

Insurgency: *Militants sponsored anti-Vijay Diwas paralyses life in Valley (16 Dec). Spate of violence and killings continue in the Valley. Bomb explodes near J&K Public Service Commission's office (21 Dec). Pre-dawn crackdown by Army in Central Srinagar. 3 persons apprehended (21 Dec). 5 army personnel including a Major killed in Baramulla (25 Dec). J&K Minister A.M. Sagar escapes grenade attack (1 Jan). Explosion close to CM Abdullah's residence. Kills 6 persons and injures 12 (3 Jan). CM condemns blast. 4 officials of Centaur Hotel abducted (6 Jan). Conspiracy to assassinate Farooq Abdullah unearthed (11 Jan). Grenade suspected to be chemical weapon recovered (12 Jan). National Conference MLA Abdul Rashid survives attack on residence (15 Jan).

Human Rights: * Nazir Gilani, General Secretary, J&K Council of Human Rights, London, visits Valley from December 28 - Jan 10, discusses situation with Hurriyat leaders as well as with Karan Singh.

Education: * J&K High Court orders closure of all private colleges and professional institutions to stop exploitation of students (12 Jan). Education Minister Qayyum plans to close down all schools run by Jamaat-e-Islami J&K (12 Jan).

International Reaction: * **USA:** *Former US National Security Director Richard Haas as Director US Council of Foreign Relations recommends greater US engagement with South Asia and a new policy towards India and Pakistan in Report of Experts (8 Jan). *Secretary of State designate Albright urges India and Pakistan to avoid mutual hostility, attaches importance to bilateral relations with India and Pakistan and to Indo-Pakistan relations.

UK: Labour Party supports self-determination for Kashmir during 50th year of Independence. GOI strongly criticises Labour stand (29 Dec). *British PM John Major during visit to sub-continent plays down Kashmir issue but describes it as of concern to every one, maintains equidistance and wants India and Pakistan to settle the matter bilaterally with political will and courage (14 Jan). PM Deve Gowda rules out mediation by UK (15 Jan).

BABARI MASJID QUESTION

Criminal Proceedings: *Addl. Sessions Judge recalls warrants against 20 accused and fixes 8.1.97 for framing charges (16 Dec).

Congress 'Apology': *President Kesri describes demolition of Babari Masjid as a blow against composite culture and traditions and expresses regret (28 Dec). Thackeray criticises Kesri for apology to Muslims as 'unnecessary' (29 Dec). *Congress leader Tariq Anwar, MP, wants Babari Masjid demolition cases to be expedited. Criticises track record of United Front on Ayodhya issue.

*Singhal denies any compromise on construction of Ram temple at Ayodhya and claims achievement of first objective of demolition in 1992.

*Bombay High Court orders Doordarshan telecast of documentary film on Babari Masjid "Ram Ke Naam"

OTHER MATTERS OF CONCERN TO MUSLIM COMMUNITY

Government Action: Home Ministry constitutes Special Cell to look into Minorities' grievances concerning law and order and other security related matters (21 Dec). National Commission for Minorities sets up enquiry commission to investigate communal and educational situation in Meerut. Also appoints informal consultative committees. Proposes recognition of Jains as linguistic minority. Revises list of minority concentration districts. Forms special committee to review the Act.

Urdu: *Parliament approves Bill to establish Maulana Abul Kalam Azad National Urdu University at Hyderabad (17 Dec).

*Delhi University organises Seminar on Firaq Gorakhpuri (19 Dec). *Supreme Court charges Archaeological Survey of India with construction of Zauq Memorial at burial site (19 Dec).

*Education Minister reveals proposal under consideration for making Sanskrit compulsory in schools (26 Dec). *Association of University Teachers of Persian hold 18th International Conference in Rampur (28-30 Dec).

Reservation: *PM promises to include Jats and Muslims in proposed 10% quota for high castes (26 Dec). Left opposes announcement. *In Memorandum to PM, A.I. Backward Muslim Morcha, Patna, demands inclusion of Dalit Muslims as S.C. and a separate quota of 8.44% for Backward Muslims. PM expresses inability to provide Muslim quota immediately. *Shahabuddin cautions PM against trifurcating Muslims and suggests Muslim quota of 9% (30 Dec). *JD State Minorities Convention at Jaipur demands reservation for minorities in proportion to population (6 Jan). I&B Minister CM Ibrahim reiterates PM's offer of 10% reservation for forward communities (8 Jan). Congress President Kesri favours reservation for SC/ST, irrespective of religion (6 Jan).

*Despote protest of women members, Women Reservation Bill deferred for consideration in Budget Session (22 Dec).

Haj: *Government fixes 1997 Haj quota at 56,000. *Saudi Arabian Haj Minister visits India and agrees to 'increase' Haj quota to 80,000 (26 Dec). Shahabuddin wants Government to abolish Haj quota. *Salamatullah re-elected as Chairman Haj Committee (15 Jan).

Religious Rights: *Supreme Court upholds J&K Vaishno Devi Shrine Act 1986 and finds State competent to regulate places of worship in interest of proper, efficient, effective and responsible administration.

Economic Status: *All India Jamiatul Quresh represents case for substitute slaughter house or modernisation of Idgah slaughter house (3 Jan). Ban on slaughter of buffaloes promotes illegal trade and rise in price (15 Jan), traders demand revision of Supreme Court ban.

Personal Law: *PM Deve Gowda during his visit to Kerala assures Muslims against imposition of Uniform Civil Code and on implementation of final judicial directive on Babari Masjid.

Conversion: *VHP alleges conversion of 5000 families in Bombay slums to Christianity but celebrates conversion of some Mewati Muslims to Hinduism (2 Jan).

Protected Monuments: *Supreme Court orders closure of 292 industrial units in Taj Trapezium by 31.12.1997.

Education: *Enquiry Committee holds hearings in recent police firing in AMU (4 Jan). *Supreme Court 7 Judge Bench formulates 6 issues/questions on which Central Government indicates stand. *Delegation of eminent Muslim personalities sponsored by JD Minorities Committee submits Memorandum to Planning Commission for educational and economic development of Muslims for inclusion in 9th Five Year Plan (9 Jan). *A.I. Muslim Educational Conference and American Federation of Muslims from India hold joint Educational Conference in Patna. PM Deve Gowda, Ministers Paswan and Ibrahim, CM Farooq Abdullah and Laloo Prasad and Shahabuddin address Conference.

TADA: *National Campaign for Justice and Secularism organises Seminar on TADA and Human Rights. Railway Minister Paswan supports release of TADA detainees (17 Dec). Government reports number of detainees as 1986 (18 Dec).

Assam Situation: *Upsurge of insurgency in Bodoland areas. Brahmaputra Mail bombed (30 Dec). 2 bridges blown up (1 Jan). All political parties extend support to Assam Government in containing violence. Bodoland Liberation Tiger Forces owns

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