

EDITORIAL ADVISORY BOARD

- * P.N. Haksar, I.F.S.(Retd.),
Former High Commissioner to Nigeria,
Former Principal Secretary to the Prime
Minister.
- * Mr. Saiyid Hamid, IAS (Retd.)
Former Vice-Chancellor, AMU
Secretary, Hamdard Education
Society, New Delhi
- * Khushwant Singh
Former MP, Former Editor, Illustrated
Weekly of India.
- * V.R. Krishna Iyer
Former Judge Supreme Court of India.
- * S. Muzaffar Husain Burney, IAS
(Retd)
Former Home Secretary, GOI,
Former Governor of Haryana &
Former, Chairman Minorities
Commission

EDITOR
SYED SHAHABUDDIN,
Ex-M.P.

SUBSCRIPTION RATE	
Inland: Life	Rs.1500
Annual Donor	Rs.125
Annual Ordinary	Rs.100
Overseas: Life	US\$200
Annual Ordinary by Airmail	US\$20
Outstation Clearance Charges	Rs.10
ADVERTISEMENT TARIFF	
Outer Cover	Rs.3,000
Inner Cover	Rs.2,500
Full Page	Rs.2,000
Half Page	Rs.1,000

Payable by MO/Bank Draft/
Crossed Cheque in the Name of
Muslim India Monthly
33, Feroze Shah Road,
New Delhi-110001.

Tel: 3782059
REPRESENTATIVES
OVERSEAS

- U.K. Dr. Roohi H. Majid
7, Woodville Road,
London.U.W.II,
Tel: 455-6281.
- U.S.A. Dr. K.A. Mallick
810-73rd Street,
Downer's Grove, ILL 60516
Tel:(708)969-6755
- K.S.A. Syed Shariq Ali
P.O.Box 11447
Jeddah-21491.

Printer and Publisher Syed
Shahabuddin, 33, Feroze Shah Road,
New Delhi and Printed at Bharat
Offset, 2035, Qasim Jan Street,
Delhi-110006.

Any material may be
reproduced without prior
permission but with due
acknowledgement.

Muslim India

**MONTHLY JOURNAL OF
REFERENCE RESEARCH AND DOCUMENTATION**

VOL.NO.XV NO.180

CONTENTS

DECEMBER, 1997

*Chronology of the Month (16 October - 15 November, 1997), 575 * From Editor's Desk: Towards
Universalisation of Reservation, 531

Babari Masjid	BMMCC Statement, 11 November, 1997.	545
	Convener Shahabuddin's Letter to Home Minister, 24 Sept. and 12 Nov., 1997.	
	Demolition: No Solution to Communal Problem - Shahabuddin's	
	Reply to K.R. Malkani	546
	Amulya Ganguli on BJP's Stand on Babari Masjid Demolition.	547
	Pamela Philipose on Congress Government's Role in Demolition.	548
Development	Report on Al-Falah's Seminar on Indian Muslims in Contemporary Economy.	561
Education	Court Rulings on Education: SC on Minorities Institutions, Religious Denomination, Calcutta HC on Education & Allahabad HC on Reservation for Internal Students.	554
	Maulana Azad Education Foundation: Schemes Sanctioned/Amount Released, 1989-90 to 1996-97 (upto December, 1996)	555
Heritage	Ajay Kashyap on Jama Masjid, Delhi.	571
Hindu Chauvinism	John Dayal on Christians as the Next Target of Hindutva.	568
	RSS: Missions of Hindu Unity and Internal Harmony.	569
Human Rights	Concluding Observations of Human Rights Committee on India's 3rd Report, 1997	565
Indo-Pakistan	Balraj Puri on Indo-Pakistan Relations.	572
Relations	Congress(I): CWC Resolution on Indo-Pak Relations, 27 September, 1997.	573
	Mani Shankar Aiyar on Indo-Pak Dialogue and Shahabuddin's Reply to Aiyar.	573
Kashmir Situation	Charting Paths to Peace-I: Report of Study Team of Kashmir Study Group, New York	549
	Gandhiji on Kashmir, 6 August, 1947.	551
	B.G. Verghese on Restoration of Normalcy and Shahabuddin's Letter to NHRC.	552
	JKLF (Yasin Group)'s Statement on Pakistan's Claim to Kashmir.	553
	Sunil Sethi on Kashmir's Need for Good Governance.	553
Mass Media	Sangh Parivar Move to Penetrate in Mass Media.	570
	G.S. Bhargava on Mass Media and Communalism.	
Minorities Commission	M.P. State Minorities Commission: Annual Report, 1996-97.	562
Muslim Organisations	Minorities Forum of India: Conference, New Delhi, 25 Oct., 1997, Resolution	564
Muslim Politics	Caste Politics in Muslim Indian Society and Shahabuddin's Letter to Communalism Combat, Bombay, 27 Oct., 1997.	541
	Paul R. Brass on General Elections, 1996 in UP and Shahabuddin's Letter to E&P.	543
	Milli Jamhoori Mahaz, Delhi, Press Release, 18 September, 1997.	544
Muslim World	Turkish Academician Turkaya Atav on Mohajir Situation in Pakistan.	574
National Politics	CWC(I): Resolutions, 27 Sept. & 9 Nov., 1997 & UF Leadership's Response.	534
	Cong(I) Leader Jagannath Mishra on Minorities Problems.	535
	CPI(M): G.S. Surjeet on Kalyan Singh Government	536
	Salute to President, Editorial, The Mainstream, 25 Oct., 1997.	
	H.K. Dua on President's Role.	
	Ajit Kumar Jha: Kalyan Singh, the Third Avatar in the BJP.	537
	BJP: History-sheets in Kalyan Singh Government.	
	RSS Chief's Annual Dussehra Address (Excerpts) & Saroj Nagi on BJP's 'Mask'.	538
	Amulya Ganguli on BJP's Words and Deeds.	539
	Prakash Patra on Real Face of BJP - Advani or Vajpayee?	540
	On Hindutva as Nationalism: Shahabuddin's Reply to Malkani.	
Personal Law	S.C. on Maintenance of Children & Justice for All, Editorial, The TOI, 4.8.97.	560
	S.C. Judgement in Accord with Sharia, Shahabuddin's Statement, 9 Aug., 1997.	
Reservation	I. A. Ansari on Recognition of Minorities by Founding Fathers as Backward Classes.	558
	Dalit Human Rights Forum, Bangalore, Seminar on Castes, 5 October, 1997.	559
Secularism	Views of P.M. Gujral on Secular India and Urdu.	533
	SJP Leader Chandra Shekhar's Views on Friday Prayers and a Letter on Secularism.	544
Shia-Sunni Dispute	Asghar Ali Engineer on Shia-Sunni Reconciliation.	557
Urdu	C.P. Bhabri on Future of Urdu Language.	557

A PUBLICATION OF MUSLIM INDIA EDUCATIONAL AND CULTURAL TRUST

حیدرآباد



روزنامہ

روزنامہ ”عوام“ ملت کی تعلیمی تحریک کو پروان چڑھانے کے لئے اپنی اشاعت کے ذریعے اپنی ایک سالہ خدمات کا ایک مختصر مدتی لیکن شاندار ریکارڈ رکھتا ہے۔
اس عرصے میں ”عوام“ نے جس موثر انداز میں ملی مسائل تعلیم کے عصری رجحانات اور دیگر سیاسی، معاشی، تہذیبی، مذہبی، سماجی اور ثقافتی امور کو اپنے قارئین کرام کی خدمات میں پیش کیا ہے، وہ اظہر من الشمس ہے۔
اقلیتوں کی فلاح و بہبود کے ذریعے ملک و ملت کی بھلائی اور عوامی خدمت کے مقصد سے شائع ہونے والے روزنامہ ”عوام“ کی بقاء و ترقی کا اہم تقاضہ ہے۔ اس کے لئے ضروری ہے کہ
آپ
اسے پڑھیں، اور دوسروں کو اسے پڑھنے کا مشورہ دیں۔
ایڈیٹر: کے، ایم عارف الدین

With Best Compliments

From

**Medina Educational & Welfare Society,
Hyderabad [A.P.]
Medina Education Centre
Medina Women's College
Medina Public School
Hyderabad [A.P.]**

TOWARDS UNIVERSALISATION OF RESERVATION

The introduction of reservation in public employment and higher education under the States and then under the Centre, initially for SC's and ST's and progressively extended to, what came to be known as, Other Backward Classes under Article 16(4) of the Constitution has over the years exposed several flaws and limitations, both conceptual and practical, in the Scheme of Reservation. The Scheme has been modified in an adhoc manner from time to time under political pressure or in the light of judicial pronouncements but there has been no attempt to take a holistic view and recast it, as a whole, in the light of practical experience. The classical framework is no longer adequate and there is need to go beyond the Mandal Report to define a new and comprehensive framework if reservation is to serve as a tool of social engineering and help its forward movement to the goal of a Just Society.

For one thing, a transitory measure for 10 years in favour of the SC's and the ST's has become almost a permanent feature of the administrative and educational landscape. Cutting across religion, caste and ethnic divides, there is a rush for inclusion in the list of SC's, ST's and OBC's and a legitimate resistance thereto, if the quota remains unchanged. Since there has been no Caste Census since 1931, there is no way to check the highly exaggerated claims of population by various groups and sub-groups. And there is no way to relate the quantum of reservation, in any of the 3 categories, to the respective population at the national or the state level. In the meantime, some social groups and sub-groups continue to languish in deprivation either because of a false sense of superiority or lack of political support, despite the fact that as the total quantum of reservation rises, entry become increasingly competitive and tougher for those who are outside the charmed circle. It has been reported that students with above 80% marks belonging to non-entitled groups in the qualifying examination have failed to secure admission to technical courses, because very few seats remained unreserved. This has contributed to brain drain as well as aggravated social tensions. Also every privileged 'Backward Class' has over the last half a century developed a "creamy layer" which tends to swallow the entire quota allocated for the group. Thus Brahminism has been replaced by Yadavism or Kurmi-ism, under one name or the other, throughout the country.

Within each constituent class - whether SC or ST or OBC, there is no uniformity of benefit to all constituent social groups or sub-groups, giving rise to the comparatively more 'forward among the backward' swallowing the share of the other relatively backward bracketted with them. As the consciousness of injustice and deprivation seeps down, the relatively deprived sub-groups are bound to press for protection, through the institution of sub-quotas within the quota, as demanded recently in A.P. and as partially conceded in Bihar.

Reservation in promotion has caused new social tensions and disciplinary problems because the subordinate today becomes the superior tomorrow!

Once the principle of reservation is accepted, the

quota thereof should be treated not as a political but as a technical question. Only in this manner can then inter-group conflict be eliminated.

Every definable segment of the national society claims and aspires to see itself in administration. This aspiration is legitimate in a plural society and in democratic governance, because in a developing society, public service brings social prestige, Izzat, apart from bettering the opportunities for education, employment and upward mobility for the next generation. Also because nearly 75% of the budgetary resources of the state are consumed by its employees.

Reservation is not based on genetic inferiority of a social group, nor as compensation for age-old suppression. It is related only to the fact of current backwardness, reflected in low participation in management of the society and low representation in the organ of the State and the administrative apparatus.

Unfortunately, there is yet no nationally accepted criteria for backwardness. Social backwardness, except in terms of untouchability and access to public places, is not measurable or quantifiable as educational or economic backwardness is. Moreover, untouchability is a thing of the past at least for those members of the SC's which have come up economically. This is the reason why various Backward Commissions have been forced to adopt economic criteria as well, for determining the fact of backwardness and consequent inclusion in the list of OBC's. Strictly speaking this goes against the letter of the Constitution but economic and social status are becoming increasingly inter-related on our developing society.

In a sense, Backwardness is universal and cuts across caste, religious, racial, linguistic and regional divides. There are pockets of backwardness in every forward social group. Conversely there are pockets of forwardness in every backward group. The level of backwardness is not uniform among all social groups, bracketted within the category of SC, ST or OBC. But the level of backwardness can be measured and quantified in respect of any social group which self-conscious and, therefore, identifiable wishes to claim the benefit of reservation, in terms of a set of nationally acceptable and verifiable parameters like the % of families living below the poverty line, the per capita income, the literacy level, the number of matriculates or university graduates per 1000 of population, the level of unemployment, the number of government servants or public employees per 1000 of population, % of families with pucca houses, land holding per family etc. Once the set of parameter is determined, the state or the national average for each parameter can be determined as well as the average in respect of each constituent group or sub-group. The level of backwardness in relation to the State or national average can then be quantified. A group which is above the national or state level (plus) in every parameter is 'forward'. A group which is below (minus) in all respect is "backward", and its index may be set as 100. Statistically it is possible to work out the index of relative backwardness of each social group or sub-group

depending upon the number of pluses and minuses and the weightage assigned to each parameter.

If the population of each social group or sub-group is known, its quota can be determined as a multiple of percentage of population and index of backwardness. The total reservation quota for the Union or the State should be the sum total of the quotas of the entitled groups or sub-groups. There should be no arbitrary cut-off, whether 50% or otherwise. The maximum shall obviously vary in space and time; it shall be different for each state and for the Union and, hopefully lower with every passing decade, when a fresh census is taken.

Social groups vary in size and relative proportion at every level. Hence there has to be a uniform cut-off point, say, 1% for the allocation of a separate quota. For those whose index is below 1% (either because of small size of population or low index of backwardness), they should be the option of joining each other or any other larger group of their choice.

How can a social group be defined in the Indian context? This can only be done on the basis of a consciousness of identity based on one or more facets of religion, caste, race, language or culture or hereditary profession, so long as they do not sub-divide into micro-groups. Slowly but steadily the country is moving towards Panch Khamba Raj - decentralisation based on 5 functional levels, the Panchayat, the Prakhanda, the Zila, the Rajya and the Kendra. Each level will have public employees and provide public facilities and services. In respect of the facilities and services which are universally available, there is no question of reservation but if there is a process of selection, of pick-and-choose, proportionality or reservation has to be introduced in the welfare or development programmes.

Since upward mobility even the enjoyment of the quota is largely determined by educational status, it is a welcome step that the State has taken to universalise elementary education.

The reservation system outlined above should lift above despair the hearts of those committed to the merit principle. If the entitled lack adequate number of the candidate with minimum qualification, the unutilised quota should go into the general pool. The general pool shall hopefully be larger with every decade, as the index of backwardness falls with educational and economic development.

The concept of social justice has so far focussed only on public employment. What is more important is access of all social groups to higher and specially professional education, to flow of public credit, to public housing, to public distribution system and to state welfare schemes, which are non-universal in application. Contraction of public employment under liberalisation demands extension of reservation to private employment. There is a demand for reservation in the judicial service, the security forces. Moreover, annual quotas in public employment should be calculated not on the basis of current vacancies in the cadre or the service but of the total cadre strength.

Since legislatures are the source of political power, all social groups are demanding representation therein, as already available to the SC/ST.

Since reservation is a tool of social engineering, it

should be universally applied and each group should be the beneficiary of a quota based on its population and its index of backwardness. Reservation needs to be extended to other deprived and handicapped groups like the religious, linguistic and racial minorities at any level and to women on the basis of an adequate share within the quota for every social group, which should progressively rise to 50%.

The "creamy layer" must be honestly defined uniformly for the whole country so that the benefits of reservation percolate done through the social layers.

No beneficiary should enjoy reservation benefit more than once in education and in employment i.e. not more than, twice in a life-time.

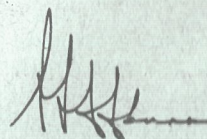
Caste Census in 2001 is a MUST, so that cross-tabulated socio-economic data can provide not only the population but also the basic data for determining the level of backwardness of each social group. All quotas should be subject to re-examination by a duly constituted National Backward Classes Commission, immediately after each decennial census.

The decision to universalise elementary education upto the age of 14 should be implemented urgently in all parts of the country and uniformly, in quantity and quality, so that the deprived groups everywhere have access to education in equal and uniform measure and are in a position to throw up adequate number of candidates for their quota.

To enable them to act as effective watch dogs for the gains made. The existing National and State Commission of Backward Classes should be adequately empowered to deal with situations of injustice and deprivation.

At the parliamentary level, all MP's belonging to SC, ST, OBC's and Minorities should establish a common Forum of Backward Classes for mutual consultation and joint action.

To sum up, Social Justice in terms of participation of all social groups in governance has been universally accepted by all political parties and the empowerment of the backward classes has been growing and the participation in national affairs has been increasing. This is a matter of satisfaction. But the movement for social justice appears to be losing momentum, having been caught in internal contradiction and reluctance to resolve them. To take the people forward on the historic march towards Justice, Equality and Fraternity in the Indian society, contradictions in the reserve system which have largely arisen due to ad-hocism and politicisation have to be resolved, new targets and goals have to be set within a coherent framework and the people have to be mobilised for the next phase of the continuing struggle.



New Delhi,
1 December, 1997

(SYED SHAHABUDDIN)

[Correction: Please read 'Quran' for 'man' at the end of the editorial in November, 1997 - Editor]

Views of Prime Minister Gujral

On Secular India:

India cannot survive without secularism. It is necessary not to give room to an anti-secular force. All secular forces together have to think of how to defend secularism. We must understand that the secular front is incomplete without the Congress(I).

The unity of all secular forces is necessary to protect India. What form it should take and other details can be considered. In this context V.P. Singh's proposal is very reasonable.

On Urdu

People tell me that in my speech I use Urdu more and Hindi less! What can I do if that is my language, I have revived the Urdu Promotion Council. I am considering the proposal for establishing an International Urdu Centre. I had requested Khaliq Anjum and others to list the recommendations of Gujral Committee which have not yet been implemented **but nothing was done.** We have planned to open schools and colleges in which Urdu is specially taught.

On Minorities Welfare:

We are introducing compulsory elementary education. We have initiated a scheme for girl child. Logically the minorities would benefit. I assure you that we shall not allow the minorities to be deprived.

(Source: Nai Duniya)

A Letter on Secularism

... It is not enough to say that every Indian ought to uphold secularism. The real question is, given our past history and the response to it of the present political leadership, can secularism in fact be "maintained by us all?"

In this, both the Hindu and the Muslim communities are culturally handicapped in as much as both are completely uncritical about the past. Let alone their respective scriptures, they have totally disavowed the need to critically evaluate any of their leaders, be it Shivaji, Gandhiji, Ambedkar, Lohia, JP or any one else. The neglect for 50 years of the job of developing a scientific temper that accepts nothing uncritically, is costing this society dear; liberalism Indian style is an additive methodology that uncritically adds on and accepts the myths, superstitions and dogmas of all the communities. If that is the Indian version of a tolerant society, then we are in serious trouble.

The first step in damage control ... is the hardest. Political and religious leaders have to find the moral courage to define what is of the essential and eternal in their respective culture and religion, and what is bigoted and strictly temporal. They must then justify their claims in humanistic and logical terms. But instead, what we

SJP Leader Chandra Shekhar's Views on Friday Prayers, 27 August, 1997(Translation)

The slogan of secularism is being raised somewhat endlessly. So much concern for one religion and no concern at all for another religion. It cannot be accepted that if a Hindu fundamentalist exploits religion, he is wrong but when a Muslim fundamentalist exploits religion, he is right.

The problem of the minority community, to deserve attention, must focus on the social and the economic. Not that on Fridays, the House will adjourn at 1.30 PM because they have to perform Namaz. Then Bajrang Dal people would say that the House should not sit on Tuesdays. That question can be raised. Is this House constituted for this? Secularism needs to be redefined. Secularism is that the religious sentiments of Hindu or Muslim, should not be hurt. But Parliament is not the place for this.

constantly get are veiled calls for vendetta a against the upper castes if you are a Dalit, against the Muslim if your temple was broken a thousand years ago, against the kafir and so on, ad infinitum. Every Indian child must be first told what did actually happen as far as history can faithfully record so that they can then figure out and understand which of the past mistakes must not be allowed to recur.

Ours is a society that will simply not survive the revenge movements and the conflagration that they will cause. We need a sensible agenda for the future. Just mouthing "secularism" is not enough.

(Source: Badal Mukherji's Letter in The Pioneer, 23 October, 1997)

Gandhiji on Role of Police in Communal Conflict (10 August, 1947)

At the request of friends I have postponed my departure for Noakhali. All my life I have served the Hindus and the Muslims without any reservation and to the best of my ability. When I find today, on the very threshold of the country's freedom, that the two communities are going mad, the utmost I can do is to place my life in the hands of God. For, believe me, I would not like to live and go on seeing such madness. Regarding the police I am told that they are behaving communally. If such a wretched state of affairs continues, the prospect is bleak indeed. I do hope that the police will perform their duties impartially and, in all their actions, do everything that they can to uphold the dignity of their profession and make the administration strong. May God be with us".

(Source: The Hindu, 10 August, 1997)

CWC(I): Working Committee Resolutions

27 September, 1997

... The ruling UF does not present the picture of homogeneity and cohesion. The basic principle of collective responsibility of the Council of Ministers have been greatly undermined. The growing decline in the political authority and will to govern has distorted the delicate balance between different organs of our democratic polity.

The communal forces have begun to intensify their activities once again. The return of BJP as the head of the Government in UP and the whipping up of communal passion by the newly appointed Chief Minister on Ayodhya issue is an alarm signal. UF supposed to combat the consolidation of communal forces has not been able to do so because of its inept handling of major political issues.

On the whole, picture is not at all encouraging. On a number of occasions Congress President has assured the Government of our support but despite our support the functioning of the Government is not satisfactory. It is now recognised that the experiments with coalition Government in India at Centre have failed to deliver goods. Governance of a country of India's magnitude and complexity cannot be discharged casually. The present political environment where the Indian state appears to have been reduced to a rudderless ship is disturbing. No basic problem can be solved in a situation like this. Congress cannot allow the situation to drift further. This meeting of the CWC urges upon the United Front Government to take appropriate measures to discharge its responsibility of governing the country

UF Leadership Rebuts Congress Charge

The Steering Committee expressed grave concern "at the way" UP Chief Minister Kalyan Singh has promised to build the Ram temple at the disputed site and the way former Prime Minister Atal Behari Vajpayee has supported the proposal. The committee clarified and reaffirmed its commitment to prevent anybody in the country from defying the secular principles enshrined in the Constitution or the rule of law. The committee asked the Government to be on the guard against these threats. The UF leaders took a serious view of the references made by RSS chief Rajendra Singh to the so-called controversy in Mathura and Kanshi.

The UF committee felt the Sangh Parivar was trying to create a communal divide to exploit it for electoral purposes as it was convinced of its political and programmatic insolvency.

(Source: The Hindustan Times, 4 October, 1997)

9 November, 1997

"The CWC notes with grave concern the unfortunate developments in U.P. where by engineering large-scale defection BJP has captured power in the State...

... Anti-Congressism was prevalent in a section of the United Front leading to a political stalemate in the State immediately after the election in October 1996. No political party got clear majority but there was a possibility of formation of a non-BJP Government in UP if the suggestion of Congress President was accepted by the UF... Refusal of UF to give priority to consolidation of secular forces led to the subsequent developments.

"When the BJP-BSP alliance collapsed in U.P. UF Government did not act to impose President's rule immediately... The Governor gave 48 hours time to the BJP to prove its majority on the floor of the House, thus giving to it an opportunity for horse trading and engineering defections. What happened after that is known to everybody. "The BJP has projected the U.P. developments as a victory. It has ... launched psychological warfare through media to spread confusion in the Congress ranks by circulating rumours and false claims of defection by Congress MP's...

It is openly offering inducements and shamelessly trying to misguide the Congress MP's. We ... are confident that no Congress MP will oblige the BJP and an united CPP will decisively give a befitting reply to BJP'.

... Congress is committed to fight forces of communalism, disruption and disunity... A party unable to keep its flock together in a state even after getting two thirds majority in the elections is shamelessly talking of the split of another party. It speaks of its own degeneration... "The CWC notes with satisfaction that the Government has accepted its demand and decided to lay the Jain Commission Report on the opening day of Winter Session... The CWC calls upon the Government to supply all documents to the Commission... "The Congress party has been lending support to U.F. meticulously. It is essential however that to rationalise and strengthen this relationship a board, deep and continuous dialogue between the Congress and U.F. is institutionalised at the earliest possible, to avoid friction in the future."

The Vice-President and Sai Baba

A Sai Baba crony, Shri Krishna Kant, the Vice-President of India, after being elected dashed to Puttaparthi and fell at the feet of Sai Baba, and not the people of India!

N.T. Rama Rao's widow has stated that as the Governor of Andhra Pradesh, Krishna Kant played Brutus in dethroning N.T.R. and making Chandrababu Naidu the Chief Minister of A.P. who closed the case files of the 6 murders in Sai Baba's bedroom by a confidential G.O.!

Cong(I): Jagannath Mishra on Minorities Problems

... Special technical, vocational and professional institutes be opened in all areas where Muslims have a large presence. A suitable percentage of seats in institutions of higher professional learning may also be reserved for the promising Muslim youth...

A study should be conducted in the minorities concentration districts on the enrollment, dropout rate, and disabilities suffered by the minorities in their access to education. Based on this study, well considered action be taken.

- * The two schemes operated by the Department of Education- (1) Area Intensive Programme for Educationally Backward Minorities, and (2) Scheme for Modernisation of Madarsa Education should be intensively reviewed (and) implemented...
- * Since vocationalisation and technical education is a priority among the minority groups... Community polytechnics, industrial training institutes (should be established) and vocational training facilities in all schools should be undertaken in minority districts. Polytechnics and ITIs for women candidates should also be set up in these districts.
- * The UGC Scheme for pre-examination (Coaching) for minorities (should) be reviewed for better results.
- * ... The corpus of the Minority Finance and Development Corporations may be substantially increased and their functioning be made result-oriented. This should specially focus on promoting self-employment of educated youth and artisans... They should ensure that women be given priority...
- * Other Schemes like IRDP, Jawahar Rozgar Yojana and PM Rozgar Yojana be administered in such a manner that Muslim applicants also benefit from them; and proportionate share in quotas, permits, licences and allotments for Muslim entrepreneurs in government-sponsored businesses must be ensured.
- * The central government should (have a) scheme for financial assistance to states for relief and rehabilitation of riot victims - as is done in the case of victims of atrocities on Scheduled Castes/Scheduled Tribes, under PCR Act. Compensation for loss of life, limb or property to Muslim victims of communal riots must also be at par with what is given to other victims ... under court orders.
- * Central government should ... ensure adequate representation of the minorities in (Central and State police) forces. Special recruitment drives should be undertaken. Muslims must also be given due representation in anti-riot task force and other paramilitary forces...
- * Special arrangements for pre-examination training centres and recruitment drives should be organised in railways, banks and public sector undertakings. The ministries/departments of personnel, banking, railways and heavy industries should assist the ministry of welfare in securing these results...

Muslims must be given due representations on the selection boards and panels at every level for minimising bias against Muslim candidates.

- * Muslim representatives of proven integrity must also be put on supervisory boards and commission like banking boards, railways recruitment board etc. after reconstituting them.
- * TADA (detainees) mostly innocent Muslims, should be released forthwith, at least on bail and their cases reviewed.
- * ... The electronic media must be utilised ... for promoting communal harmony, emotional integration and creating a positive image of the Muslims... Commonly spoken Hindustani language (should be used) in government broadcasts or telecasts...
- * For the proper implementation of the PM's 15 Point Programme for the welfare of the minorities ... a statutory body (should be constituted) with a mandate to review and to report the progress in the implementation. ... The Central Govt. should provide financial support to the 15-point programme...
- * ... Right to establish and administer educational institutions of their choice, should be enforced strictly, without interference from the executive...
- * ... Urdu must be given its rightful place among the languages of the country.

Shahabuddin's Views

On Delimitation of Constituencies,

Letter to CPR, New Delhi, 8 October, 1997

I am totally in favour of fresh delimitation but I feel that the Lok Sabha seats should be delimited without taking the State boundaries into consideration, because it is the people of India who are represented in the Lok Sabha, just as the States are in the Rajya Sabha. It should then be possible to bring down the disparity between the highest and the lowest electorate within a State as also in the country as a whole.

Secondly, the constituencies reserved for the SC/ST should rotate among all the constituencies which have a SC/ST population, higher than their average population in the country, under a roster to be drawn up in advance; provided that, no constituency in which any religious minority has a high concentration should be reserved for SC/ST because that would mean cutting into the probability of the religious minorities being adequately represented in the Legislatures. At present they are consistently under-represented both in the Lok Sabha and the Vidhan Sabhas.

I may add that the Supreme Court of Japan has given a ruling that disparity in the electorate amounts to a negation of democracy and that the US Supreme Court has asked for special Black-majority Congressional Districts to be carved out by deliberate gerrymandering, in order to raise the level of Black participation in the US Congress.

CPI(M): S.G. H.S. Surjeet On Kalyan Singh Government

The BJP, in its bid to muster majority in the Uttar Pradesh assembly and win the vote of confidence, not only indulged in horse trading but also supported and permitted the violation of provisions of the anti-defection act. Twelve BSP members who had left the BSP and who do not constitute one-third of the strength of the BSP legislature party were allowed to vote in the vote of confidence, defying the whip issued by the BSP. The speaker of the UP assembly, who is a BJP nominee, should have disqualified them after they had made known that they had left the BSP. This cannot be recognised as a split as per the provisions of the anti-defection act.

Moreover, press reports also indicate that non-members were allowed inside the house. The press has published photographs and also given names of these individuals.

The high moral pedestal on which the BJP has always sought to place itself has been torn to shreds. In its quest for power, it is willing not only to enter into unprincipled alliances but is also indulging in horse trading and unscrupulous means and manoeuvres.

The clear and flagrant violation of democratic norms ... by the BJP to cling on to power in Uttar Pradesh calls for unequivocal condemnation by all democratic forces... The moral and ethical facade that the BJP has tried to present should be exposed. The provisions of the anti-defection act should be applied and the 12 BSP legislators who had violated their party's whip should be disqualified...

(Source: The People Democracy, 2 November, 1997)

Salute to President

Editorial, The Mainstream, 25 October, 1997

... In the murky scenario what has stood out is the President of India's bold decision to send back the recommendation of the Union Council of Ministers for a review. This is doubtless unique in India's constitutional history. For this wise act on his part K.R. Narayanan deserves the wholehearted acclaim of all those who have the interests of the country at heart and are pledged to safeguard its democratic those... He is proving his worth as its true guardian by his display of extraordinary objectivity and uprightness. And this at a time when the country has been besieged by a bunch of unprincipled yet influential, petty crooks and gangsters parading as the people's representatives...

The battle to preserve our democratic heritage has now begun... In this long-drawn struggle we need figures of substance like Narayanan - and not the men of straw we come across so often in the political arena - to steer the country through the rough seas it is passing today.

H.K. Dua On the President's Role

A President, believing in treading the righteous path, has prevented what could have been a major blow to democracy in the country. Conscious of his duty to protect the Constitution, he took the unprecedented decision on Wednesday morning to return to the Cabinet its thoughtless recommendation for placing Uttar Pradesh under Central rule. It ultimately made the Cabinet reverse its decision.

... By accepting Mr. K.R. Narayanan's sage advice to the contrary, the Cabinet has not only saved its face, but has also prevented a situation that could have led to a confrontation with the President as well as the Supreme Court and also unsettled the United front Government...

By making the Cabinet reverse its earlier decision, the President has sought to uphold highest democratic principles that were shamefully mauled in Lucknow on Tuesday... The Governor's report suggesting dissolution of the Assembly was patently malafide and unconstitutional... This was petty partisanship and unlawful exercise of authority.

... Also, a divided government at the Centre yielded to pressures from the Congress on one side and the CPM on the other and opted for expediency in place of constitutional propriety...

Gross violation of democratic norms apart, the Assembly cannot be dissolved unless Parliament has already approved of the proclamation imposing President's rule. The Supreme Court held this view in the S.R. Bommai case... This could have led to a confrontation between an unreasonable executive and the apex court...

The decision ... could also bring about a serious breach of confidence, possibly a confrontation, between the Cabinet and the President...

(Source: The Hindustan Times)

Bajrang Dal: Resolve to Take Back Lahore By 15 August, 1998

When Parliament meets for the midnight session on August 14 to celebrate the Independence Day, the Bajrang Dal, at the precise hour, administered the oath to the country's youth for restoration of Akhand Bharat ... pointed out President of the Bajrang Dal, Shri Jaibhan Singh Pavaia...

... "We have to take back Lahore. That is why the Bajrang Dal has given a slogan: 'Agla 15 August Lahore mein', which the Dal wants to make a popular mass slogan", he added...

Ajit Kumar Jha on Kalyan Singh, the Third Avatar in the BJP

... Editorial writers have forgotten to applaud the latest victor emerging from Lucknow, the great 'hero' of Ayodhya... Mr. Kalyan Singh is the modern hero, who like the Prince of Niccolo Machiavelli, practices politics devoid of morality. For him was coined the phrase "nothing succeeds like success", and, indeed, it is an irony ... that the rule of law was enforced in UP ... to give a fresh lease of political life to a man who has no compunctions about breaking the law, whether in Ayodhya or Lucknow. Indeed Kalyan Singh has the distinction of being the only chief minister in the country who was convicted and sentenced for a breach of law by the highest court of the land.

With the emergence of its latest hero, the BJP is witnessing the third Avatar of its leadership - the new pragmatic face. Just as the charisma of its mass mobiliser... Advani had begun to wane ... and the magic of its most acceptable face, former Prime Minister Atal Bihari Vajpayee, started to diminish transforming him, in the words of party strategist Govindacharya, into a 'loudspeaker and theatrical mask', along comes the backward caste mascot of the Hindutva brigade.

Kalyan Singh might lack both charisma and charm, but this new 'Demolition Man' is today the most dynamic and perhaps the most formidable leader of the party. For him, none of the attempts to go it alone by building a credible base make sense. He is impatient with adversaries; he is an ageing man in a hurry. He is not bound by the promises made by party leaders like Vajpayee, who swore on May 18, 1996, "We (the BJP) assure you. If power comes our way by breaking other parties, I will never want to touch such power even with a bargepole." Kalyan Singh believes in grabbing power by wrecking and poaching on the ... foes and friends alike.

... This fiercely independent Lodhi leader formulated his own pragmatic ideology and framed his own rules of the game. Whenever legal constraints blocked his path, he decided to bend the rules to suit his own political interests. In that he is not very different from the new crop of mass leaders which controls politics in the Hindi heartland - among them Laloo Prasad Yadav, Mulayam Singh Yadav and Mayawati. Notwithstanding their role as first-rate mobilisers they have redefined the very idiom of politics in the country: under them populism has replaced legalism. In fact, Kalyan Singh is the BJP's answer to this new brand of ruthless machine-style politics.

... He opposed the alliance between the scheduled Castes and upper castes and instead built up an alternative alliance of the most backward castes (MBCs) and the upper castes in UP... As evidence, consider the BJP strategy in the 1996 Vidhan Sabha elections in UP of

creating the MBC votebanks and the fact that the 22 MLAs of the newly-formed Loktantrik Congress are mostly from the savarna castes... But his non-legal methods can only be destructive in the long-run. In addition, if the new anti-BJP alliance among the BSP, the Samajwadi Party and the rump Congress takes shape, then surely Kalyan Singh might well be presiding over yet another potentially unstable coalition.

(Source: The ??????????, 26 October, 1997)

BJP: History Sheeters in Kalyan Singh Government

Cabinet Ministers	Party	No. of Cases
* Markandeya Chand	BSP	10 Cases
* Bachcha Pathak	LC	5 Cases
* Sardar Singh	BSP	6 Cases
* Harishankar Tiwari	LC	25 Cases
* Shyam Sunder Sharma	LC	18 Cases
* Raja Bhaiya	Ind.	8 Cases
* Shiv Pratap Shukla	BJP	Detained under NSA

Ministers of State

* Rakesh Dhar Tripathi	BJP	2 Cases
* Renu Prasad Kamal	BSP	6 Cases
* Bhagwan Singh Shakya	BSP	7 Cases
* Dr. Arvind Kumar Jain	BJP	4 Cases
* Amar Mani Tripathi	LC	18 Cases
* Prem Prakash Singh	BSP	15 Cases
* Vinay Pandey	LC	5 Cases
* Rakesh Tyagi	LC	6 Cases
* Sri Ram Sonkar	BJP	5 Cases

[Note: LC-Loktantrik Congress]

These cases include attempt to murder, murder, dacoity, kidnapping, rioting and robbery.

(Source: The Outlook, 10 November, 1997)

(Contd. from Page 539)

interpretation. Explaining the success of the BJP's ties with the Akalis, Madanlal Khurana said that it was the result of the fact that his party kept "quiet on the Anandpur Sahib resolution while they keep quiet on the Ram Janambhoomi issue."

It is possible to condone a conspiracy of silence on relatively minor points of disagreements. But these are central to the functioning of the Akalis and the BJP. The recourse to sealed lips amounts, therefore, to practising deceit since the parties are deliberately keeping quiet on issues associated with their partners about which they have grave reservations...

It can be argued, of course, that all politicians and parties indulge in prevarication. True, but then no party should pretend that it is different from others, as the BJP does with much chest-thumping.

(Source: The Hindustan Times, 10 November 1997).

RSS Chief's Annual Dussehra Address (Excerpts)

While taking oath as chief minister, Shri Kalyan Singh reiterated the commitment to rebuild the temple on the Ramjanmabhoomi. This raised the eye-brows of many persons. As if the communal harmony is disturbed and is in danger but the realities are quite different. One may ask was there communal harmony before Ramjanmabhoomi agitation in the country? Before Shiv Sena-BJP coalition came to power in Maharashtra, every year, stones were pelted on the procession of Ganapati immersion at one place or the other. In Ahmedabad such attacks were repeated on traditional Ratha Yatra. In Kerala it was difficult to move in Muslim localities in lungi.

The events like conversion in Meenakshipuram were continuing. So many happenings of this kind can be cited in every State. This can prove that the mentality as prior to Partition is still prevalent in Bharat. In such conditions, it is futile to sing songs of communal harmony. It is not effective...

The policy of appeasement of minority has been adopted from the pre-independence period. The best example is of Lucknow pact. The Muslim leaders had realized that by maintaining separate identity, they would reap maximum benefits. Then why should they bother about unity move?... Due to this very appeasement policy, the Muslims could not assimilate in the mainstream of the nation. Since the Ramjanmabhoomi movement, we are insisting on pursuing the policy that there is neither any minority community nor majority community. All are sons of Bharat Mata.

Shri Ram occupies the first position in series of our national heroes. This has been clearly mentioned in our constitution also. It follows that those who accept and respect our constitution should accept Ram as our national hero. And it is natural therefore that a large temple should be built on the birthplace of Shri Ram ... as inspiring centre. There is possibility of change of mind in this direction if we continue insistence with one voice. Experiments of so-called secularists have failed since long. We are to find solution to this problem in a new light. This is the second facet of the Ramjanmabhoomi movement.

To awaken the self of the Nation, the Vishwa Hindu Parishad started the Ramjanmabhoomi movement. To give a shock treatment to the society to shed its slavish mentality of the last one thousand years, such a massive agitation was very necessary. As we march step-by-step towards success ... the slavish mentality will wither away...

... Ramjanmabhoomi agitation ... awakens the

Saroj Nagi On BJP's 'Mask'

Is BJP leader Atal Behari Vajpayee really a "mask" for the party as party general secretary K.N. Govindacharya reportedly described him?...

Behind the alleged use of the word "mask" was the assessment that the veteran leader had little role to play in the organisation which has its moorings in the RSS ideology of Hindutva and that the party was only using him as a front. ...

... When the Jana Sangh broke away from the Janata Party to emerge as the BJP, the party, in its new avatar, appeared to flounder, unable to find its footing in a scenario dominated by the Congress.

Again, when the party established a distinct identity, particularly in pursuing the Ayodhya issue, it was Mr. Vajpayee who found himself at odds with it to some extent.

It is not as if Mr. Vajpayee is a "moderate" or a "liberal" as he is often portrayed to be. Nor has he strayed from the so-called "fundamentalist" path pursued by the Jana Sangh or the BJP. On basic issues ... he is at one with the Sangh philosophy. The only difference, if there is, lies in the method adopted to achieve party objectives.

During the BJP's ultra-fundamentalist phase ... Vajpayee was sidelined, even marginalised.

But after the Babari Masjid was demolished, robbing the BJP of its electorally potent weapon, the party became politically untouchable for many Centrist and Left forces. It was now that Vajpayee was again brought to the forefront, primarily to use his calming influence...

... The insinuation is that despite the veteran leader's reach ... other ... had failed to come out in support of him.

Despite his public image Vajpayee has remained a controversial figure in the party because of his lifestyle and views...

nation's spirit. Pseudo-secularists cannot understand this... They will definitely oppose the Ramjanmabhoomi movement... When the Sangh and the Vishwa Hindu Parishad were banned after the fall of the Babari structure, swayamsevakhs went from house-to-house and collected more than ten crore signatures in favour of Ramjanmabhoomi agitation. During this contact programme only two per cent of the people were found either not willing to express their opinion or they posed as pseudo-secularists. The collected appeals with signatures were forwarded to President. This amply showed the will of the people... Those who express their resolve to reconstruct the temple are the worshippers of the national unity and they desire to make the nation strong...

(Source: The Organiser Deepavali Special, 26 October, 1997)

Amulya Ganguli on BJP's Words and Deeds

It is customary to regard Mr. Kalyan Singh's manoeuvres in UP as some sort of a fall from the BJP's high ideals. The fact is, however, that like almost everything about the party, the prevailing conception of its supposed nobility is based on nothing substantial. If this notion has nevertheless persisted, it is because the BJP, and its predecessor the Jan Sangh, had always been a relatively inconsequential party on the political periphery. ...

It was also true to an extent because in the early stages, when the prospect of growth appeared limited, there was little doubt that only true believers tended to congregate... It also had only two leaders L.K. Advani and Atal Behari Vajpayee - of whom it was Vajpayee who was seemingly more important in the earlier days, which is why he got the more prestigious of the two portfolios which were given to the party in its first real brush with power in 1977. He also automatically became the first president of the BJP when it was formed in 1980. It is still the same two who matter, only Advani has apparently become somewhat more important.

It is worth recalling that even during that first sojourn in the corridors of power, the party's peculiar composition created a rift between it and the other more "normal" parties, leading to the end of the first Janata government. The controversy had centred then on the question of the "dual membership" of Sangh Parivar acolyte...

The habit of wearing a mask, therefore, is not something confined to an individual ... but an integral feature of the saffron parivar. What the RSS and the VHP say today may not be echoed by the BJP and vice versa although everyone knows they all congregate under the same umbrella. Given this scope for doublespeak, terminological inexactitude can become the cornerstone of a party's policy. And nothing demonstrated this gulf between the BJP's words and deeds better than during the run-up to the Babari Masjid demolitions... The current hero of India's largest ministry comprising criminals and carpet-baggers (also) played a crucial role at that time.

Mr. Kalyan Singh's explanation during his first stint as Chief Minister for the clearing of the area, near the Babari Masjid, of the small temples(!) and other buildings with bulldozers was that a complex for tourists was going to be built. He did not care to elaborate that the "tourists" were going to be the kar sevaks from Maharashtra ... and other States. All the time while this inexactitude was being uttered, the BJP's other senior leaders, including Advani, were telling Parliament, the judiciary, the National Integration Council and whoever cared to listen that the party had no intention of demolishing the Masjid and would give it full protection. The rest, of course, is history.

The point, therefore, is that adherence to truth has never been the BJP's strong point... But proximity to power has shown that it is no less adept than the other parties in breaking its pledge. There is nothing surprising, therefore, in Kalyan Singh making a mockery of Vajpayee's ringing declaration in the Lok Sabha against adopting questionable tactics to secure a majority. ... The same Singh posed with a big smile on his face before going to the Supreme Court to be sentenced for a day's imprisonment in connection with the Babari Masjid demolition. To him, it was not a matter of shame but of great satisfaction that he had "failed" to protect the mosque while repeatedly promising to do so.

It is not only that the BJP thinks nothing of breaking its word. It has also turned into an art form the practice of justifying an act which, if practised by others, it would condemn as vociferously as possible. Consider the case of the so-called vote bank. When other parties target Muslim, they are derided as "appeasers" and accused of indulging in the cynical exploitation of "vote banks". But when the BJP targets the Dalits, it is loftily described as the "politics of social harmony". The word "vote bank" is not uttered at all, and the party grovelling before the BSP not described as "appeasement". When the United Front parties got together to form the alliance, the BJP called it an act of "ganging up" against it. But when the BJP requested the same parties to come to its side, that was deemed perfectly legitimate.

The same is the case of horse-trading. In the BJP's view, what has happened in Uttar Pradesh cannot be described in such derogatory terms at all. Said Mr. Yashwant Sinha ... "For us, it is merely a political settlement with those who supported our government." Surely, nothing can be more aboveboard than a political settlement.

Therefore, "if something similar happens in Parliament also, why should we be averse to courting the process?" asks the celebrated rath yatri, Advani. Why indeed? After all, the Congress, he says, is "withdrawing away. It is in the process of erosion and the BJP would certainly like to fill this vacuum." And what about the admission of criminals? Sinha takes a philosophical view. "It would serve a greater purpose if criminals could be reformed in the BJP's company."

Call it brazenness or effrontery or ingenuity, the BJP is undoubtedly remarkably adept at seeing black as white when this is in its favour. ... What can be more cute than to describe defections as political settlement? Unless one opts for Kalyan Singh terming defections as a sign of affection.

Silence, too, plays as important a part in circumventing the truth as giving words and deeds a new

(Contd. on page 537)

Prakash Patra on Real Face of the BJP - Advani or Vajpayee?

... Vajpayee and Advani are basically two sides of the same coin. Vajpayee is a leader with a mass base and Advani is an organisation man. Advani represents the aggressive face of Hindutva and Vajpayee attempts to repackage the aggressiveness to make it acceptable. The two ... complement each other in their task of building the party...

It has been a conscious design of the Sangh Parivar to project Vajpayee as its liberal face for obvious political reasons. One cannot but underscore the fact that between 1952 and 1968, the Jana Sangh, the earlier incarnation of the BJP, had 10 presidents. Between 1969 and 1997 (save the period between 1977 and 1980 when the Jana Sangh merged with the Janata Party) the party presidentship has remained with either Vajpayee or Advani, with the sole exception of Murli Manohar Joshi who occupied the office once.

Both Advani and Vajpayee come from the RSS and share its ideology. Through a conscious effort, Vajpayee has been portrayed as a liberal leader who can wax eloquent as easily as Jawaharlal Nehru and talk about the desirability of a composite Indian culture. He can afford to strike a discordant note with other fiery leaders of the BJP. He can even attend the RSS meet wearing a dhoti and kurta and get himself consciously photographed with khaki shorts-clad pracharaks.

The RSS can hold him back from being a part of the BJP squad which demolished the Babari Masjid so that he can later described the demolition as a tragedy to gain the sympathy of the people.

Why does the RSS need the liberal face of Vajpayee? In his liberal face, the Sangh parivar sees the potential of garnering the support of those who may not be ideologically close to the BJP but are anti-Congress and anti-regional groupings. As a Left leader says: Vajpayee is not the BJP's mask. He is wearing the liberal mask for the BJP...

Linked to it is the party's next electoral strategy. Should the party try to go to the polls on its own, vigorously pursuing the Hindutva plank to come to power, Advani would become the natural choice to lead it.

But the question is: Can the party expect a repeat of the 1989 euphoria generated by Advani's rath yatra? The other option, and a safer one, could be to project the liberal face and rope in as many smaller political groups into its fold as possible and make another bid to come to power. It is here that Vajpayee fits the bill.

Besides, Advani would have to lay down the office of the party president this year if the BJP was to strictly

On Hindutva as Nationalism Shahabuddin's Reply to Malkani

In his article "New Age Hindu" (20 October, 1997) Mr. K.R. Malkani confuses Indian Nationalism with Hindu Nationalism in accordance with the RSS philosophy. There is a Hindu identity but there are many other identities with still more layers of Sub-identities, which together make Indian Nationalism. There is also a pan-Hindu consciousness just as there is a pan-Islamic consciousness which is shared by persons who are nationals and citizens of other States, since both Islam and Hinduism are world religions. Neither religion nor culture are co-terminus with nationality.

Religions and culture both cut across state boundaries and different religions and cultures share a common national or political space. There is hardly any historic modern State which is absolutely homogeneous in religion, race, language or culture. Only mini-and-micro-and ersatz States are. India is not one of them.

Whether India is mono-cultural or multi-cultural is a question of fact. Whether India should be mono-cultural is a question of politics, of dominance by one religious group over other religious groups as well as peripheral groups. Such dominance is against the spirit of the times and against the current of history.

I shall not be surprised if Islamic Pakistan would find it more comfortable to co-exist with Hindi India, for its very raison d'être is that the Hindus and the Muslims of the Sub-continent cannot exist within and jointly manage a modern nation-state.

Just as the word "QAUM" has played havoc with the evolution over political thinking, so has the word Hindu. But we are not discussing semantics but existential realities.

Today no identity, religious, linguistic and cultural can be imposed over any group, however small, against its will, and it will not be so willing, unless and until that group sees its future in assimilation or submergence or absorption. The Muslim Indians do not see their future in these terms. They see their future in their mother land, in terms of identity, equality and dignity. Neither flattery nor political deal, nor persecution shall make him accept a trade-off between identity and equality or between equality and dignity.

adhere to its norm. For his supporters in the party, the stake seems to be bigger. If Vajpayee becomes Prime Minister, then like the Congress, he, and not the party president, would be calling the shots in the organisation. ... (Growing dissidence point to the BJP fast undermining its 'uniqueness'. The BJP might well soon realise that its real face is, finally, like that of any other party.

Caste Politics in Muslim Indian Society

Note in The Communalism Combat, Bombay, October, 1997

... Following the opening of the locks on the gates of the Babari Masjid in Ayodhya in 1986 and the Ramjanambhoomi movement that gathered momentum in its wake, Vilas Sonavane, Fakhruddin Bannur and a few other activists from Maharashtra - all with an OBC social background - started worrying about how to counter the aggressive Hindutva propaganda which sought to demonise Muslims as 'outsiders'.

Soon in their search ... a new political perspective emerged: Hindutva's hostility against Muslims is as old as the communal ideology itself. The growing assertion of the backward castes and dalits compounded by V.P. Singh's decision to implement Mandal's recommendations posed a serious threat to the centuries' old hegemony of the Hindu upper castes. One way to contain the serious crack developing within Hindu society was to draw attention to the threat that all Hindus faced from a common enemy - Muslims. If Muslims could be projected as a united, homogeneous, religious community, a strong pitch could be made for the absolute necessity for Hindus to stay united and avoid divisive issues like Mandal.

How do you demolish ('deconstruct') the myth about Muslims?... Fortunately, an action of the government of Maharashtra in 1992 - a notification reduced the number of castes in Maharashtra eligible for reservations recommended by Mandal was slashed from 272 to 215. Among those affected by this were nine Muslim OBC castes. This provided the OBC activists from Maharashtra the opportunity to turn a perspective into an instrument of mass mobilisation.

Through a mass contact programme in Maharashtra ... Muslim OBCs were made aware of the benefits they were being deprived of and Hindu OBCs convinced that the best way to defend and promote their own interests was through OBC-unity cutting across religious divides.

In December 1994, the Maharashtra government issued a new GR, adding 118 more castes (42 of them Muslims) to the list of those eligible for reservation benefits. The Shiv Sena-BJP coalition government which came to power in March 1995, initially pretended

ignorance of the 1994 GR but relented when faced with a cross-community agitation by the castes who stood to benefit. Because of the efforts of the Muslim OBC Sangathan, more than two lakh OBCs among Muslims have managed to get caste certificates till now...

As nothing succeeds like success, the experience in Maharashtra sent ripples throughout the country. The first national convention in Delhi held in August 1996, in which delegates from most states in the country were present, was a success... The demands raised at the convention were for extension of Mandal Commission's recommendations to all Muslim OBCs...

From Maharashtra to New Delhi and from there to Lucknow; back to the States. What does the movement, still in its incipient stages, hope to gain? Since an overwhelming majority of India's Muslims are from the OBC category and since there is sure to be competition within the limited number of jobs among the hundreds of OBC castes from different religions, it can be nobody's argument that reservations will resolve the economic problem of the Muslim OBCs. The great promise which the emerging Muslim OBC holds lies elsewhere.

... The outpourings of the Muslim OBC delegates whether in Delhi or in Lucknow may soon inspire one of them into paraphrasing Kanshi Ram: "Syed, Shaikh, Mughal, Pathan, in sub ko maro jute char".

The Muslim OBC's ... growing self-assertion through the Sangathan cannot but alter his own psyche, challenge the social inequality within Indian Islam; it also has the potential of radically redefining the agenda for what constitutes the "Muslim question" in India.

And that takes us straight into the arena of politics. The very nature of the demands ... promises to take Muslim OBC away from the politics of religious identity and towards issues of social justice and equality. Not surprisingly, the established leadership among Muslims has responded to the Sangathan with suspicion, hostility and a growing counter-demand for reservation benefits for Muslims as a community... The promise it holds for decommunalising Indian politics make it worthy of support.

(Source: The Communalism Combat, October, 1997)

Shahabuddin's Letter to The Communalism Combat, 27 October, 1997

The anonymous article "A New Muslim Identity" in your issue of October, 1997 is factually inaccurate and politically confused. If the writer sees promise of decommunalisation in assertion of Muslim OBC identity, he is living in a fool's paradise. The very fact that the Muslim OBC's have launched a Sangathan of their own is indicative. Why can't existing OBC organisations struggle for the rights?

But what are the rights? The Mandal Commission in 1980 and several State Governments like Bihar and UP much before that have already categorised some Muslim

castes as OBC. Qualitatively the situation does not change if more Muslim castes or professional groups get themselves listed as OBC. Does it expand the available space or is the same space to be share by more groups? If so, taking the Central Scheme of reservation as the model, how much of the 27% quota will in fact become available to Muslim OBC's, who shall be like many Hindu OBC's, competing against much more advanced Hindu OBC's like Kurmis, Yadavas and Koeris in the north, and Reddys in A.P., Vokalingas in Karnataka, Thevars in Tamilnadu etc in the South.

The irresistible conclusion is that the Muslim OBCs are being taken for a ride unless quantitatively it can be proved that they are getting a share in the benefits of reservation, in proportion to their population, in public employment under the centre and in various States. Otherwise the promotion of the Muslim OBC identity would have achieved its real purpose: sowing seeds of bitterness and disunity among the Muslim Indians so that divided, they become powerless to exert any pressure on the power structure to defend their human, constitutional and legal rights - individual and collective. Indeed this would remove the biggest obstacle in the path of Hindutva. The Muslim OBC movement is thus helping the Hindutva movement.

Assuming that Muslim Indians stand divided among the higher castes, the OBC's and the Dalits, will it direct the Hindutva fury away from the last two to the first as the exclusive target? Will the Muslim OBC's and Muslim Dalits feel safe and secure during communal frenzy? Will Islam, its sacred personalities and the holy scripture and their personal law become immune from defamation and motivated assaults? Will the Urdu-speaking child be able to get his education through his Mother Tongue or acquire proficiency in it in the High School? Will the minority educational institution be safe against the persistent erosion of Article 30 and non-application of Article 29(2) of the Constitution? Will the Muslim OBC and Dalit youth not face the bias and prejudice in selection and recruitment for private and public employment?

The problem of the Muslim OBC's is different from the problem of the Hindu OBC's. In the Indian society, beyond the caste lies the religious identity and that is where the Hindu OBC's will always beat the Muslim OBC's. In a word, the problem in Muslim access to employment and higher education is not only backwardness but bias. If not, let the Hindu OBC's and Dalit's be prepared to concede a Sub-quota for Muslim OBC's and Dalits?

The writer is not aware that the demand for declaration of Muslims, as a community, a Backward Class and consequent reservation in public employment is as old as the Constituent Assembly and has been repeated by many associations and parties since then. The Association for Promoting Education and Employment among Muslim Indian held its National Convention in October, 1994, and adopted a Resolution to demand Reservation but with a provision that candidates belonging to notified (OBC) Muslim Sub-communities, with minimum qualification, shall have the first claim on the Muslim quota and the candidates of other Muslim Sub-communities shall be admitted, in order of merit, if only and to the extent that, the Muslim quota remains unutilised where there is the question of the "Ashraf" swallowing the Muslim quota?

**WITH BEST
COMPLIMENTS**

FROM

**KALEEM
KAWAJA**

**THE ASSOCIATION
OF INDIAN
MUSLIMS OF
AMERICA**

**THE ORGANIZATION
FOR UNIVERSAL
COMMUNAL
HARMONY**

**WASHINGTON DC
USA**

Tactical Voting by Muslims in UP Elections, 1996

Paul R. Brass on General Elections 1996 in Uttar Pradesh

... The exit poll and (an) MLA's remarks suggest that Muslims in UP did not follow the tactical voting strategy recommended by Syed Shahabuddin who, for many years, has been advising Muslims to adopt a three-pronged strategy. First, they should be sure to demonstrate their importance by voting. Second, they should avoid dividing their votes, especially for "little parties speaking in the name of Muslims and Islam and what not". Third, they should unite in any constituency where there is a BJP candidate behind the party that appears to have the best chance of defeating the BJP. This strategy also implies that the aggregate Muslim vote should be divided in the state as a whole, with the Muslims uniting in some constituencies behind the SP, in others behind the BSP or the Congress. In the absence of a constituency-by-constituency analysis, it cannot be said unequivocally that the Muslims did or did not follow the Shahabuddin strategy, especially since the Congress was rarely in a position to hold forth as the best bet against the BJP. All that can be said for certain is that Muslims voted overwhelmingly for the SP and its allies in the UF - that is, the JD and the Congress(T) - in the Lok Sabha elections and that very few Muslims voted for the Congress. Moreover, estimates of the projected Muslim votes for the principal political parties in the succeeding legislative assembly elections indicated that Muslims intended to vote overwhelmingly for the SP and that hardly any intended to vote for either the BSP or the Congress... It is no doubt true that the antipathy of Muslims to the Congress and their identification with Mulayam Singh Yadav in UP emerged largely as a

consequence of the different stances of these parties and leaders to the dispute over the mosque in Ayodhya and that what has followed from it is a considerable polarisation of upper caste Hindu and Muslim voting. However, it is a mistake to interpret either Muslim or upper caste voting exclusively in these terms. On the contrary, as I have previously pointed out, the switch of upper castes and many jats from Congress to the BJP has had as much to do with the Mandal controversy - that is, with the fear of loss of privileges or failure to gain access to privileges - as with the Babari Masjid-Ram Janmabhumi issue... Muslim response ... to Mulayam ... is (that) Mulayam - and whatever party with which he is associated - who has done something for Muslims.

On both sides of this communal divide, therefore, we see something completely secular: the material and physical concerns of people about their and their children's life chances, security and general well-being. In this respect, what has followed for Muslims in the aftermath of Ayodhya is integration into the political process in the same manner as for other groups, through the scramble for advantage, preference, and favour. For Muslims to follow the Shahabuddin strategy, therefore, is to move in a different direction: towards isolation from the political process through the acting out of a negative strategy in a narrow focus upon the communal issue, thereby feeding into the BJP design to polarise voters around communal antagonisms, to single out and separate Muslims from all political parties, and thereby to nullify Muslim political effectiveness.

(Source: The Economic and Political Weekly, 20 September, 1997)

Shahabuddin's Letter to The Economic and Political Weekly, 25 October, 1997

Prof. Paul R. Brass has made a reference to the tactical voting strategy proposed by me to the Muslim community in his article "General Elections, 1996 in Uttar Pradesh (September 20, 1997). He has correctly indicated that the proposed strategy has to be operationalised at the constituency level, particularly in those constituencies where the Muslim voters are in a position to influence the result. Prof. Brass has himself stated that "in the absence of a constituency by constituency analysis, it cannot be said unequivocally that the Muslims did or did not follow the Shahabuddin strategy". Yet without any analysis, he approvingly quotes an MLA's remarks and the results of the exit poll to conclude that Muslims in UP did not follow this strategy. He also seems to feel that this strategy was formulated with the Congress in mind.

Even if the conclusion that the Muslims voted overwhelmingly for the SP and its allies in the UP, is correct as it appears to be, their voting pattern in Muslim-concentration Constituencies (say 25% and above of the electorate) can be discussed only by co-relating their

"united and massive" voting and the party affiliation of the candidates who won. Their total support for the SP in a given constituency may be partly due to the SP's wisdom in putting up a strong candidate (if a Muslim, one generally acceptable to the Muslim voters; if a non-Muslim, one with a generally secular track record coupled with his own strong social base). The BSP bluffed Muslims once by giving half its tickets to Muslim candidates, who were generally put up with a view not to win but to drain away some Muslim votes into its 4 Percent target to fulfill the recognition criterion. This divided the Muslim votes and made them ineffective in some constituencies. Only a Constituency-by-Constituency analysis of Muslim voting pattern in Muslim concentration constituencies will indicate whether the Muslim support was instrumental in the victory of the winner and the party to which he belonged.

The strategy does cover the situation, as obtains statewide in Maharashtra, Gujarat, MP, Rajasthan, Haryana and Delhi where the only effective anti-BJP

(Contd. on Next Page)

Milli Jamhoori Mahaz, Delhi, 18 September, 1997

A joint meeting of the Indian Union Muslim League, All India Majlis-e-Ittehad-ul-Muslimeen and All India Muslim Majlis was held in Delhi on Wednesday, 17 September, 1997. Those who attended the meeting included Mr. G.M. Banatwala, MP and President, Indian Union Muslim League; Mr. Sultan Salahuddin Owaisi, MP and President, Majlis-e-Ittehad-ul-Muslimeen; Mr. Mohamed Samiullah, President, All India Muslim Majlis and Mr. E. Ahamed, MP.

The Meeting expressed serious concern over the growing strength of the anti-democratic and anti-secular Hindutva forces. These forces pose an increasing threat to democratic and secular polity of the country. The Meeting also expressed its deep disappointment and dismay at the lack of effective efforts by the various political parties to face the fascist forces as to promote an equitable society with justice to all the sections of the multiple society and particularly the Muslims.

The three parties decided to come together in a political front under the name and style of "Milli Jamhoori Mahaz" to protect secular democracy, safeguard minority rights, defend cultural pluralism, promote communal amity and national unity and to work for the balanced development with justice to all sections, particularly the Muslims. ...

The Meeting set up a Steering Committee of the Milli Jamhoori Mahaz under the chairmanship of Mr. Banatwala. The Steering Committee will include Mr. Owaisi, Mr. Samiullah and three members from each of the constituent parties...

G.M. Banatwala Sultan Salahuddin Owaisi Mohamed Samiullah

force generally is the Congress. In that event, despite Narasimha Rao and Ayodhya, the Muslim votes has no option but to support the Congress, except in isolated constituencies where a non-Congress candidate, by virtue of his social base and personal standing and record, appears to be the strongest to take the field against the BJP and its allies. In a given constituency, the Muslim voters and the Muslim-supported candidate will undoubtedly rationalise their choice or their victory on the basis of 'something' which the winner and his party have done for them. This is the way of politics.

Assuming that there was a secular alliance and there was only one notable candidate against the BJP in a constituency, the Muslim votes will definitely go to him, irrespective of his religion, caste or party label.

I do not understand how Prof. Brass sees "tactical voting" as dissociation from the political or the electoral process or as a negative strategy to separate Muslims from all political parties or as nullification of their political effectiveness. What it does is to make the Muslim community use its vote to achieve a political objective, defined in the interest of the country and the community, as he sees it, without making any absolute,

(Contd. on Page 554)

Asghar Ali Engineer On Shia-Sunni Reconciliation

The Shia-Sunni problem ... has festered in the subcontinent since it flared up in Lucknow in the beginning of this century. The dispute essentially relates to what is called tabarra and madh-e-sahabah. What is tabarra and what is madh-e-sahabah? ...

The Shias ... consider the companions who became the (first three Caliphs) as 'usurpers' and curse them. This cursing is called tabarra... The Sunnis, on the other hand, (uphold and praise them)... This ... praise of the Companions ... is called madh-e-sahabah... Lucknow and some areas of UP have a large population of Shia Muslims. This dispute flared up in 1905 due to provocative speeches delivered by Maulana Abdus Shakur, a Sunni Alim, on one hand, and Maulana Maqbul Ahmad, a Shia Alim, on the other.

It was on the 10th day of Muharram that Prophet's grandson Hazrat Imam Husain was martyred in Karbala. Both Shia and Sunni Muslims solemnly observe and mourn the tragedy on that day. The Sunnis began reciting madh-e-sahabah and the Shias, in retaliation began reciting tabarra. There were quarrels on this question in 1907-8, and in 1909 a ban was imposed on madh-e-sahabah. But the Shias continued to recite tabarra... When Govind Ballabh Pant (was the Prime Minister of UP) the Sunnis (got) permission to take out their procession and recite madh-e-sahabah and they got it on March 30, 1939... The Shias continued to recite tabarra and there were violent clashes in 1940. Maulana Abul Kalam Azad intervened and persuaded the Sunnis not to recite madh-e-sahabah. It again took a serious form in 1969 when the then chief minister C.B. Gupta persuaded both the sides to observe restraint. Both sides complied. But, violent clashes broke out between the parties in 1974 when the Shia procession was attacked... The then chief minister H.N. Bahuguna appointed a commission of inquiry.

But the dispute could not be sorted out as both sides ... stuck to their respective demands. The Janata Party government in 1977 also could not sort out the problem. The matter went to the extent of police firing and both processions were banned. For more than 20 years no processions have been permitted either by Sunnis or Shias.

In 1983 the SC ordered that the administration should bring the two parties together, hear them and find some way out, if possible. But nothing has happened so far. 2 Shia youths committed suicide recently by burning themselves. Several parts of old Lucknow came under curfew. In Mumbai, too, the Bohra High Priest Syedna Md. Burhanuddin recited tabarra in 1988 on a public address system provoking strong reaction among the Sunnis. Riots broke out. The High Priest had to tender a public apology in the presence of the then CM Sharad Pawar. The disturbance subsided after two days of violence. It must be asserted here that the moderate sections of both the communities would like to see the dispute resolved in a spirit of reconciliation...

There is great need for an ecumenical movement in Islam...

(Source: The Times of India, 20 August, 1997)

BMMCC: Shahabuddin's Statement Observance of 5th Anniversary of Demolition, 11 November, 1997

After due consideration, the Babari Masjid Movement Coordination Committee (BMMCC) has decided that in view of the current political situation, the 5th Anniversary of the Demolition of the Babari Masjid on 6 December, 1997 should be observed in low key and no bandhs, rallies, processions or demonstration should be organised to mark the occasion.

However, all interested organisations and institutions including local units of the Babari Masjid Movement are advised to organise a signature campaign to a Petition to the President of India to request him for:

- 1) Day-to-day hearing by the Special Bench of the Allahabad High Court of the consolidated title Suit through full State support in service of summons to witnesses and their transport to and from Lucknow and stay in Lucknow.
- 2) Unconditional assurance by the Prime Minister to the Muslim community for the restoration of the Babari Masjid site, if the title suit is decided in its favour.
- 3) Expeditious hearing of the CBI Case against the RSS-VHP-BJP leaders pending before the Special Judge, Lucknow.
- 4) Expeditious hearing of the Ayodhya Inquiry by the Liberhan Commission of Inquiry in Delhi.
- 5) Expeditious hearing of the pending Contempt Case before the Supreme Court.
- 6) Take over of the complete responsibility by the Centre for the protection of the next targets on the VHP list - the Shahi Idgah Masjid, Mathura, and the Gyan Vapi Masjid, Varanasi.
- 7) Ban on VHP Activities in Ayodhya.

The BMMCC has no objection if hall meetings at the local level are jointly organised by the interested organisations to adopt a Resolution on the above lines whose copies may be sent to the President, the Prime Minister and the Home Minister. It is requested that this Appeal may be reproduced through handbills in various languages as widely as possible.

(Contd. from Page 547)

Pakistan to celebrate... The Congress's upper caste supporters are believed to have turned to the BJP after the demolition. Will Malkani now ask them to return to the Congress? ... The BJP's sectarian world-view, inspired by atavistic tribalism, is essentially medieval. The party is still fighting the wars of the 16th century. It attacks a place of worship, and then realises that it is not quite the done thing at the fag end of the 20th century. So it offers various excuses - it was not a mosque, no namaz had been said there for decades, it was a dilapidated structure, the kar sevaks could not be restrained because of the delayed judicial verdict and, finally, no one knows who demolished it and so the Congress is responsible!

Shahabuddin's Letters to Home Minister, 24 September, 1997

According to the Hindustan Times, 24 September, 1997 during the visit of Chief Minister Kalyan Singh the district administration allowed entry into the make-shift temple which is a violation of the directive of the Supreme Court which allows darshan of the idol from a particular point and distance.

The BMMCC protects against this violation and requests you to instruct the Commissioner of Faizabad to follow the directive of the Supreme Court strictly and make no exceptions.

12 November, 1997

The VHP President Shri Ashok Singhal has given a call for Kar Sevaks to assemble in Ayodhya on 14 December, 1997. It has also decided to organise Sant Parikarma on 5 December 1997. The Kar Sevaks would then begin to assemble there from 5 December, 1997.

There is widespread apprehension in UP, particularly in Ayodhya and Faizabad, that supported the UP administration and police, the Kar Sevaks may try to enter the disputed site and began erection of columns on the concrete platform which, as you know, was constructed in July, 1992, to the east of the Babari Masjid, as a part of the foundation-base of the proposed Mandir.

I request you that:

- a) The Government should ask VHP the object and purpose of the congregation.
- b) The Government should ensure that no one is allowed to enter the security entrance, except as an individual Darshak, upto the specified point.

Why Apologise?

... If we are to be ever apologising for our ancestors or disowning their actions there would be no end to it. Just think of the number of things we are doing now ... for which our descendants shall be apologising in another fifty years!

(Source: V. Dhagamwar's Letter in The Mainstream, 18 October, 1997)

It is amazing that a party which aspires to rule over India should tie itself up in knots over an act which it disowns but still hopes would help it to reap electoral dividends. ... The BJP has acquired a prominence which it does not deserve. With its outlandish views, it is a natural party of the periphery. like the various Naxalite groups. But it has been pitchforked to the political centrestage by the follies of its opponents. As a result, the strain of being in the limelight, of formulating coherent policies, is showing...

(Source: The Hindustan Times, 27 October, 1997)

Demolition: No Solution to Communal Problem

Shahabuddin's Letter to The Times of India, 27 October, 1997

Shri K.R. Malkani in his article on the demolition of Babari Masjid in Ayodhya on 6 December, 1992 has done history a great favour by admitting that a Standing ancient Masjid was demolished in broad daylight on 6 December, 1992 and by identifying Pakistan's ISI and P.V. Narasimha Rao and his kitchen Cabinet as the demolition squad. Perhaps the Kar Sevaks brought by the Sangh Parivar were there on that day in such numbers merely for singing bhajans and sprinkling Saryu water over the site! Gracefully, he also regrets the "disorderly manner" of demolition!

But his entire article is full of misrepresentation and distortion. He says that Nehru Cabinet overlooked the Hindu demands relating to Ayodhya, Mathura and Varanasi. There were no such demands.

He compares Hindu-Muslim relations to Russia-Poland relations. Are Hindus and Muslims two sovereign nations? Did the Turks, the Pathans and the Mughals rule India from Bukharia or Kabul? The Muslim Indians today are as much Indians, as much sons of the soil as Hindu Indians. Both Hindus and Muslim Indian struggled for freedom. On 15 August, 1947 the British did not hand over power to Hindu Indians but to all Indians. So how does the question of "balancing the account" arises on independence if indeed there was an account to be balanced?

He quotes Toynbee, Nirad Chaudhuri and V.S. Naipaul, I feel all of them are committing the same error - of identifying India with Hinduism, which is at the very root of Hindu communalism, revanchism and chauvinism.

He mentions a Memorandum of Understanding, drafted by Rajiv Gandhi for shifting the Babari Masjid (as suggested so graciously by the Sangh Parivar) and states that Muslim leaders failed to sign it. This is the first time I have heard of this MOU. Will Mr. Malkani publish the text? Will he name the Muslim leaders consulted by Rajiv Gandhi?

He mentions the promulgation and withdrawal of an Ordinance by V.P. Singh. This Ordinance was promulgated at the height of Advani's Yatra and with the approval of Vajpayee. His own Law Minister Goswami was not happy. The Babari Masjid Movement smelled a rat and prevailed upon V.P. Singh and his Cabinet (with the help of Goswami) to withdraw it. But the Ordinance did not say that the acquired land was to be used for constructing the proposed Ram Janambhoomi Mandir.

Chandra Shekhar initiated talks between the VHP and the AIBMAC (the dissident section of the Babari Masjid Movement). What his intention was God knows but why didn't the VHP agree to place all its evidence before the Special Bench, already functioning, instead of placing it before the Prime Minister and his advisers? As

anticipated the talks failed. The P.M. is not the Chief Justice of India.

P.V. Narasimha Rao gave a long rope to the Sangh Parivar, allowed acquisition of land around the Masjid, its excavation, the construction of a boundary wall and of a concrete platform 20' thick to serve as the foundation of the proposed Mandir. He rejected the advice of all his senior colleagues to dismiss the Kalyan Singh Government during July-December, 1992, gave orders to the Central forces not to move to save the Masjid under demolition or remove the Karsevaks till it was completely demolished. He also allowed the debris to be levelled, a make-shift mandir constructed and the idols restored, all under the President's Rule, before giving the green signal to the security forces. Did he wish to snatch credit from the Sangh Parivar for building the mandir and creating a new reality? The fact is that he wished the Masjid to be demolished, by the Kar Sevaks and the blame to fall on Kalyan Singh and a Mandir to be constructed on its site and get the credit for it.

He says that the Sangh Parivar wanted the Masjid 'shifted legally'. This is a contradiction in itself. The Masjid is the site not the structure. A Masjid cannot be shifted legally for building a Mandir! The Babari Masjid Movement was prepared to consider the Hindu claim if it was found by a judicial authority that a Ram Janamsthan Mandir stood on the site in 1528 and was demolished to build Babari Masjid there. As it is, the Babari Masjid Movement was always prepared from February 1986 itself to give the disputed land, next to the Masjid, including its compound, where Ram Chabootra stood, for the construction of the Mandir. But it was not and is not prepared to sign away the site of the Masjid because it belongs to Allah, unless the Masjid was, ab initio, not found to be a Masjid, having been built on the site of a standing Mandir after demolishing the latter.

The rest of Mr. Malkani's article is a reiteration of the political line of his party. But I would like to add that if 'appeasement' means denial of worship and demolition of places of worship, Malkani must have a dictionary of his own.

The Hindu Muslim problem will continue to haunt our motherland so long as Muslim Indians face inequality, injustice, indignity and deprivation and the threat of assimilation, and so long as Sangh Parivar considers the Hindus - only as Indians and the non-Hindus as foreigners and aliens!

I am really surprised at Malkani's reference to Bombay bomb blasts, since there was large scale violence after 6 December all over the country, according to Malkani, it stopped only after the March, 1993 blasts. Do we have to have bomb blasts to have communal peace?

Amulya Ganguli on BJP's Stand on Babari Masjid Demolition

The BJP's explanations for the demolition of the Babari Masjid are becoming more and more convoluted. Its latest effort to justify the act ... involves fishing out a virtually unknown certificate which Arnold Toynbee gave to the Poles for pulling down a church built by the occupying Russian in the heart of Warsaw. In their haste, they have overlooked one vital point - the Russians were not Poles. They invaded Poland not to settle down there. Nor has there been centuries of cohabitation between the Poles and Russians leading to the efflorescence of a distinctive composite culture as has happened in India as a result of the Hindu-Muslim interaction.

Nor is it possible for anyone to write about the Poles and Russians what Nirad Chaudhuri has done about the Hindu and Muslims that "ethnically, the Hindus and the Muslims intermingled inseparably everywhere. To employ a very homely simile, they were as mixed as rice and dal are in the dish of Khichri. To try to put apart Hindus and Muslims would be as sensible as to try to eat rice and dal separately from that dish".

Contrary to Toynbee's example, the Muslims, one of whose mosques has been demolished and two others have been openly targeted by the Sangh Parivar, happen to be Indians. Unless, of course, the BJP and the extended Parivar including the Shiv Sena subscribe to Jinnah's two-nation theory. If so, a more relevant example than Toynbee's would be the burning down of black churches by white supremacists in the US. The motivation in these cases is to tell the blacks that they are not Americans, no matter how long they have lived there and what religion they follow. There is also evidently the element of intimidation in such acts of arson, intended to make it clear that if the blacks do stay, it will have to be as second class citizens.

The targeting of mosques is similarly meant to tell the Muslims that to live in peace in India, they must pay the price for the sins of their ancestors. It is like the wolf in Aesop's fables telling the lamb that if it did not muddy the waters, its parents did. Such a combative approach, based on righting historical wrongs, is obviously not conducive to social or political peace. If the Sangh Parivar nevertheless prefers such a belligerent line, it is because it hopes to make political gains by inciting one group of Indians against another, using religion as a tool... It is also no secret that one reason why the medieval rulers attacked places of worship was political - to show that they were the masters of the land and to eliminate the possibility of the shrines acting as places of congregation of their opponents... The Ramjanambhoomi movement is essentially political. There is nothing spiritual about it. The intent is not to spread love and goodwill but to promote sectarian animosity and secure a

majority in Parliament for the BJP by inducing what is known as the "minority complex" among the majority.

However, even as the BJP searches high and low for examples of demolished shrines to justify what happened to December 6, 1992, it apparently still feels uncertain about accepting full credit for the demolition. The Shiv Sena is more honest in this respect for it has no qualms about its role on that day. But the BJP is not sure what effect a medieval act of revenge will have on the party's fortunes. It even suspects that on the eve of the 21st century, such an act of desecration may not be widely applauded and perhaps even harm the party irreparably.

So while it quotes Toynbee, Naipaul and others to justify what happened, and while its parliamentarians shout, Yeh to pehli jhanki hai, Kashi, Mathura baki hai, thereby virtually revelling in the act and threatening more demolitions, the BJP still feigns ignorance. "Who did it?" asks K.R. Malkani... "Obviously people who wanted to give BJP a bad name." A bad name, for something which Naipaul thought was a "new, historic awakening"? (Perhaps, Naipaul would have detected such an awakening in Hitler's Germany too).

The question posed by Malkani is all the more surprising because the demolition did not take place suddenly in the dead of night with not a soul around. There was a long preparation for it, starting with Advani's "riot yatra" of 1990. Two years later, before the fateful event, the BJP had asked the kar sevaks to gather in Ayodhya in large numbers and, when they did, virtually all the senior Sangh Parivar leaders addressed them. And the leaders were not about all communities learning to live together in harmony. All the leaders were also present when the demolition started in broad daylight. But Malkani still wonders who dunnit?

The purported puzzlement is probably explained by the some what inconvenient news received subsequently by Malkani that "there was celebration in the Pakistan High Commission in New Delhi on the evening of December 6". Why should the Pakistanis, of all people, celebrate the "historic awakening" of the Hindus?...

If the Pakistan were delighted by the "criminal" act, in the Supreme Court's words, of the kar sevaks, it is because at one stroke these self-appointed saviors of Hinduism had vindicated the sectarian fanaticism ... which led to the vivisection of India. Suddenly, India's proud heritage of secularism, of giving the minorities an honoured place in society, which had stood in shining contrast to Pakistan's oppressive theocracy and persecution of even non-Sunnis, had received a crippling blow. Indians had turned against Indians in the name of religion, just as they had done five/six decades ago and divided the country. Undoubtedly there was cause for

(Contd. on Page 545)

Pamela Philipose on Congress Government's Role in Demolition

The fate that visited a hoary three-domed mosque in December 1992 is today being played out upon the edifice that is the Congress...

When 22 Congress MLAs smelt something in Lucknow's air and responded ... it was an open acknowledgement that the party that Mahatma Gandhi had died for no longer exists...

The betrayal goes far deeper than that by Lucknow's notorious 22... Never has this process been more manifest than on the issue of secularism. Defined variously by Gandhi and Nehru, it nevertheless came to mean a commitment to the idea of a nation comprising many communities, all of which exist in amity and enjoy equal rights and liberties.

Officially, the Congress is still a "secular" party. Even its most recent public document - the AICC resolution from Calcutta this August - reiterated that the "Congress Party is duty-bound to warn the people of this country that a diehard entity like the RSS will have to be fought politically by all votaries of a democratic, secular and egalitarian dispensation". But words mean what words do. There has not been a shred of evidence to suggest that this party is capable of politically challenging the communal project of the RSS. The one-time Congress voter has even stopped responding to the sound and fury of plenary pronouncements even as the party's percentage share of votes has steadily declined from 39.5 in 1989 to 36.42 in 1991 to 28.8 in 1996.

... The Rajiv era marked the first clear break with the party's secular agenda. It could be discerned in the whiff of ammonia unleashed by the remarkably effective Rediffusion ad series for Rajiv Gandhi's 1984 campaign. The visual of barbed wire and a text that described Pakistan's borders creeping up to people's doorsteps seemed to jab an accusing finger at every Sikh. The enactment of ... the Muslim Women (Protection of Rights on Divorce) Bill in 1986 as an attempt to win over Muslim public opinion, in the wake of the Shah Bano judgment, paralleled the orders of a Faizabad district judge to open the locks of the Babari Masjid to Hindus.

... On November 6, on the eve of the 1989 elections, Rajiv Gandhi allowed the foundation stone of the Ram Temple to be laid and then, shortly thereafter, had the construction stopped. The move was a decisive one. Former Cabinet Secretary B.G. Deshmukh once revealed that he had advised the PM at that stage to publicly state that the Masjid would never be demolished. Significantly, Rajiv Gandhi did not do so. To him must really go the honour of being the first kar sewak on the domes, pickaxe in hand.

For the Congress then, the hope from November 6, 1989 to December 6, 1992 was a logical one. Under Prime Minister Narasimha Rao, the politics of shuffle and waffle was turned into a fine art. In his book, *Unfinished Innings*, then home secretary Madhav Godbole revealed that Rao remained indifferent to the detailed contingency plan that the Home Ministry had drawn up to deal with the Babari issue months before the actual demolition.

S.B. Chavan, then Home Minister, seems anxious to transfer his burden of guilt to Rao's capable shoulders, going by an interview he gave to a TV channel some months ago. But he cannot rewrite history. After all, wasn't it this man who, a day after L.K. Advani's speech on December 2 stating that "Kar sewa does not mean bhajans and kirtans", assured the Lok Sabha that he had no reason to doubt the intentions of the Kalyan government in UP or that of the BJP President? Short of shouting "Jai Shri Ram", the PM and his Home Minister did their bit to bring those domes down.

The perfidy continued. Not once has the Congress clearly and unequivocally condemned the demolition since then. Many within the Congress, like Arjun Singh, would like to appear more principled than they actually were at that point. Not one of them demurred when a resolution reposing confidence in the Rao leadership two days after the demolition got passed. A white paper, duly produced, whitewashed the party's own role in it.

The politics of shuffle and waffle still marks the party's responses to the Masjid issue. In January 1996 Union Minister Ghulam Nabi Azad, feeling the heat of the impending elections, acknowledged that his party had made mistakes and begged crowds in Bareilly not to punish it again and again. The official rejoinder to this came swiftly. It was not us, it was Kalyan Singh who was to blame, clarified B.P. Maurya, then AICC general secretary.

Again at the AICC session in Calcutta the moment an unconditional apology for the demolition was mooted, the professional "water-downers" were at hand. The apology, when it came, was so mealy-mouthed that it might as well have not been made: "The Congress also regrets its inability to carry out the legal responsibility in protecting the Babari Masjid". There is no change of heart here, just another shuffle, another waffle.

Only Advani's famed phrase can describe such secularism. It's pseudo all right. For the BJP, secularism by its very nature, is a false value. But the falseness of the Congress brand of secularism is a different matter. It spells the demolition of the very foundation on which it rests.

(Source: The Indian Express, 28 October, 1997)

Charting Paths to Peace - I

Report on the Visit of an Independent Study Team to India and Pakistan Sponsored by the Kashmir Study Group, New York

Recommendations

The Findings section of this report revealed how widely divergent are the perceptions of the several parties to the Kashmir dispute in respect to the origin and nature of that dispute as well as in respect to the means of resolving it. That section also revealed the depth of emotion with which the dispute is viewed. It follows, therefore, that the path to a just, viable, enduring peace will be both long and arduous and that progress along this path will require creative compromises by all the concerned parties.

This Recommendations Section of the report expresses the Team's best collective judgement in regard to such compromises. Its focus is on compromises that need to be made immediately or in the near future. It does not present the Team's own blueprint for the long-term future of Jammu and Kashmir. Instead, it urges measures to change the circumstances currently prevailing in Jammu and Kashmir, continuation of which will preclude intelligent planning for the area's future. The measures recommended emerge directly from the Team's findings; they are for the most part what thoughtful people the Team spoke with said was required to bring about conditions congenial to serious dialogue among the parties to the dispute. They are premised on the belief that such conditions include commitment by all parties not merely to the peaceful but to the just settlement of the Kashmir dispute, and that a settlement on terms falling short of that will simply not endure.

Following are the Team's specific recommendations.

1. Continuation of Normalization Initiative:

The Team commends the governments of India and Pakistan for embarking in the 50th anniversary year of the Kashmir dispute on an historic and promising initiative to normalize bilateral ties and strongly recommends that they press forward with their effort.

This recommendation is premised on the Team's recognition that the various peoples of Jammu and Kashmir state cannot independently determine their fate and that a "solution" to the Kashmir problem has to be found, to an important extent, in improved India-Pakistan relations. The task ahead is to so alter the relationship between these two states so that the peoples of Jammu and Kashmir can live their lives under more secure conditions while at the same time pressing their claims to dignity and self-determination.

The Team recognizes also the formidable barriers

that both governments face as they take steps towards complete normalization, and it recognizes too the obligation laid upon the world community to honour the virtue of patience as the two governments strive to surmount these barriers. At the same time, however, the Team is persuaded that the extraordinary statesmanship, political courage, perseverance and resourcefulness that these two governments must now summon in order to succeed in this mammoth task of reconciliation are matched in every respect by the degree to which social, economic, ecological, cultural and political conditions will be enhanced for all who dwell in the region of South Asia once this goal is achieved.

2. Strengthening and Institutionalization of Dialogue:

The Team considers it imperative that the dialogue now underway between India and Pakistan be given as soon as possible a strengthened and protected institutional framework. This means, for the present, arrangement of frequent, scheduled and publicity-free meetings of their official representatives in circumstances insulated from the likely stresses and strains of their relationship.

A major step in this direction has been taken, of course, in the decision by the governments of India and Pakistan in June 1997 to establish a "mechanism", including working groups, to address outstanding issues of concern to both sides - including Jammu and Kashmir - in an integrated manner.

Over the longer term, however, the objective of overcoming the frailty of the South Asian region's conflict-mediating and conflict-resolving institutions might best be achieved by creating a permanent regional framework along the lines of the Conference on Security and Cooperation in Europe (the Helsinki model), to be charged with developing rules, techniques and organizational formats for peacekeeping in the South Asian region as well as for conduct of routine discussions over such political and security problems as are represented by the Kashmir dispute. This framework would considerably supplement and reinforce - and, at some point, desirably be expanded and formally linked to - the existing South Asian Association of Regional Cooperation (SAARC).

3. Restoration of Normal Civil Life:

The Team believes that progress towards the restoration of normal civil life in Jammu and Kashmir is a vital initial step towards an eventual fair and honourable settlement of the Kashmir dispute. All

parties to the dispute need to commit themselves unreservedly to this objective.

Progress towards the restoration of normal civil life involves, first and foremost, a commitment to the substantial "demilitarization" of the civilian-inhabited areas of the state of Jammu and Kashmir, in other words, to the imposition of significant curbs on and, if possible, termination of the whole array of insurgent and counter-insurgent "military" activity. Demilitarization, as the Team envisions it, must be defined broadly enough to include the use of draconian measures by Indian security forces to combat insurgency, the infiltration of insurgent forces from across the border, activities by insurgent and counter-insurgent groups against unarmed civilian population, and other forms of armed internecine strife. The legitimate security needs of both India and Pakistan must, however, be taken into account. Therefore, demilitarization may well need to be phased in over time. What is essential, however, is that it embody the sincere determination of all parties to the dispute to substitute peaceful forms of political contestation in place of violent and coercive ones.

The Team does not believe that the Kashmir talks themselves can realistically be used to negotiate "compliance" with such a commitment. They could, however, arrange for the creation of mechanisms whereby each party to the talks could register with the others what steps it has taken in this regard. The Indians, for instance, could note that they have reduced their forces by a certain amount, or that they have improved the human rights situation by taking such-and-such steps. Such disclosures, there or elsewhere, would go far in persuading doubters in Pakistan (and Kashmir) that the discussions over Kashmir were more than the sterile and ultimately futile exchanges of the past. They should also encourage the Pakistani to carry on with other aspects of the normalization talks since they could rightly claim to their public that at least some substantive movement was taking place on the "core" issue of Kashmir.

Proceeding in this way would undoubtedly involve some risk to all parties. In particular, by asking the Kashmiri separatists to set aside for some time their aspirations either for independence or for accession to Pakistan, these aspirations - and perhaps those who hold them - might become permanently sidelined. Admittedly, this is not a risk against which there can be any iron-clad guarantee. The Team considers these aspirations, no matter how understandable or justifiable they may be, to be largely unrealizable under present circumstances and, hence, not really in greater jeopardy from postponement than they already are from outright repression.

While it was not a requirement of the Team's study

mission either to craft or to propose particular institutional or territorial models for applications to Kashmir, it is the Team's judgement that over the longer term the complexities of the Kashmir conflict may require - and almost certainly would benefit from - innovative, even what may now seem radical, experiments in the region's management of its ethnic and religious minorities. Among such experiments, autonomist schemes for devolving maximum political authority to state to sub-state regimes should certainly be closely examined. Nor would the Team rule out from consideration designs of "co-sovereignty", confederalism, or other power-sharing arrangements as have sometimes been proposed for Kashmir. It should be understood, in any event that the Team's seeming short-term embrace of the political status quo and willingness to set aside temporarily the more far-reaching demands of the separatists is an embrace, in fact, of the essential requirements for the restoration of normal civil life and citizen security. Without this, no matter how earnest the advocates of separatist solutions may be, the present intolerable situation in Kashmir will never be transcended.

4. Inclusion of People's Representative in Talks:

At an appropriate time early in the unfolding of normalization talks between India and Pakistan, the Team believes that the political representatives of the peoples of Jammu and Kashmir should be formally and meaningfully included in the negotiations.

The Team is convinced that the process of normalization will not and should not proceed very far without some agreement having been reached among all principal parties to the Kashmir dispute - the Government of India, the Government of Pakistan, and the political representatives of the peoples of both the Indian and the Pakistani-controlled areas of Jammu and Kashmir - in regard to the restoration of normal civil life in the insurgency-troubled state. All of these parties bear some responsibility for the abnormal conditions currently prevailing in the region. All must cooperate to improve them.

Omission of the representatives of the peoples of Jammu and Kashmir from such negotiations risks the probable disassociation of at least some of them from any agreements that might eventually be reached and, thus, would place in jeopardy the popular legitimacy and long-term durability of these agreements. Moreover, decent respect for the principles of self-determination of peoples clearly demands that the principle not be casually dismissed or so distorted by exercise of some political sleight of hand as to permit relegation of the Kashmir dispute once again - its myriad burning issues essentially

untouched - to the regional back burner.

5. Broadening of Representation in Talks:

The Team urges that representation of Kashmiris in normalization talks between India and Pakistan should be broadly defined to include not only representatives of the two governments already established in the area - that in Srinagar as well as that in Muzaffarabad - but also representatives of all other major political, regional, ethnic, and religious groups.

Confronted by its own conviction that the "political representatives of the peoples of Jammu and Kashmir" must be included in talks focused on the restoration of civil life in Kashmir, the Team has had to define what it means by that. Meant to be included among such groups, to avoid any misunderstanding, are representatives both of the Kashmiri Muslim-dominated All Parties Hurriyat (Freedom) Conference and those of the now largely refugee population of Kashmiri Hindu Pandits. Considering all of the other elements also deserving of representation, this will be an exceedingly diverse assemblage, no doubt, and it will require unusually resourceful institution crafting to manage it effectively. But no other measure, in the Team's judgement, would better ensure the confidence of the Kashmiri people in the ongoing normalization process and their willingness to abide by its outcome.

Determination of appropriate mechanisms both for the fair selection of such representatives and then for joining them to the bilateral India-Pakistan discussions are matters, the Team believes, for the parties themselves to work out.

6. Reduction in Security Forces:

A confidence-building measure to which the Team attaches particular importance would be a significant reduction in the number of security forces that India maintains on internal security duties in the state of Jammu and Kashmir, and the transfer of these duties to the state's own regular police forces.

It goes without saying that headway towards achieving the objectives set forth in the five recommendations above could not possibly be made without major concessions over Kashmir - or at least a clear indication of willingness to consider them - by the Government of India. The Team is of the view, therefore, that the Government of India should seriously examine and then act to implement so-called confidence-building measures in regard to Kashmir that have been identified by Pakistani and Kashmiris respondents earlier in this report. The most frequent cited of such measures was reduction in the number of security forces in the Valley. As a number of respondents made clear, a "token" force reduction would have little, if any, effect. A massive and

Gandhiji on Kashmir, 5 August, 1947 **Authorised Version of Gandhiji's Speech at Wah,** **August 5, 1947**

... He also able to see the Maharaja Saheb and the Maharani Saheba and Prime Minister Kak Saheb. He was sorry he was not able to see sheikh Abdullah Saheb, who was undoubtedly the leader of the Kashmiris.

Mahatma Gandhi could say that on August 15, all being well legally the State of Kashmir and Jammu would be independent. But he was sure that the State would not remain in that condition for long after August 15. It had to join either the Union or Pakistan.

Kashmir had predominantly Muslim population. But he saw that Sheikh Saheb had fired the Kashmiris with local patriotism. British paramountcy would terminate on August 15 real paramountcy would then commence. Mahatma Gandhi referred to the paramountcy of the Kashmiris. They had one language, one culture and, so far as he could see, they were one people. He could not distinguish readily between a Kashmiri Hindu and a Kashmiri Mussalman... He had no hesitation in saying that the will of the Kashmiris was the supreme law in Kashmir and Jammu. He was glad to say that the Maharaja Saheb and the Maharani Saheba readily acknowledged this fact.

He had the good fortune to read what was euphemistically called the Treaty of Amritsar, but which, in reality, was a deed of sale. He supposed it would be dead on August. The seller was the then British Governor-General and Maharaja Gulab Singh, the buyer. The treaty going, would the State revert to the British and, therefore, the England? If to India, to which party?

He held that, without going into the intricacies of law, which he had no right to dilate upon, common sense dictated that the will of the Kashmiris should decide the fate of Kashmir and Jammu. The sooner it was done, the better it was. How the will of the people would be determined was a fair question. He hoped that the question would be decided between the two dominions, the Maharaja Saheb and the Kashmiris. If the four could come to a joint decision, much trouble would be saved. After all Kashmir was a big State. If had the greatest strategic value perhaps in all India. So much for Kashmir".

unilateral reduction, on the other hand, cannot realistically be expected. What is needed, then, is a phased reduction scaled to symbolize the Government of India's sincerity of intent, with successive force reductions to be undertaken in response to diminutions in insurgent activity and infiltrations across the Line of Control (LOC). The Team believes that India's transfer of internal security duties to irregular forces, such as to the so-called pro-India militants, would in this context be entirely counterproductive. **(To be Concluded)**

Fear on the Retreat

B.G. Verghese on Restoration of Normalcy

... Militancy is by no means over, but is ever more clearly in decline. People want peace and are beginning to search for realisable solutions. Disillusionment with Pakistan is coupled with continuing alienation against the Indian state among significant sections in the Valley...

... There are visible signs of the return of normalcy almost everywhere. About 80,000 tourists have been reportedly thronging Gulmarg, especially during weekends. The resumption of work at the HMT, ITI and other plants are also indicative of the new winds. The constant demand for employment and development is being made here as anywhere else. The 115 km Valley railway line between Gazigund and Baramulla is being sought to be completed in 30 months... Uri power will light up the Valley by the end of the year. The Border Roads Organisation is being entrusted with a crash programme of reconstructing bridges to restore connectivity in the Valley before the onset of winter. Schools are being rebuilt and other action taken to repair the willful damage ... over the past seven years.

The earlier announced economic package, reiterated and reinforced by the PM includes upgrading the Jammu-Srinagar national highway, taking up the old Mughal Road, speeding work on the 380 MW Dul Hasti project in Doda, expediting the construction of Kargil airport, the setting up of an agricultural university in Jammu and a convention centre at Leh, a Dal Lake and Jhelum basin development programme with international funding, and more. It was, however, emphasised, that the administration and people must exercise vigilance to ensure that allocated funds are properly spent.

These measures are certainly all to the good. Yet, man does not live by bread alone. Panchayat elections are planned in the autumn. Legislation is in place for a two-tier halqa panchayat and block samiti structure in the first instance and the electoral rolls are under revision. This will underpin the local administration and foster a grievance mechanism and community leadership at the grassroots.

The state and regional autonomy committees would, however, be well advised to proceed rather more expeditiously despite the complexities involved. Promises must be kept and not merely flaunted. "Autonomy" must be debated and fed into the ... talks with those estranged.

The yearning for peace can be fortified by placing the onus of violating it on militant groups. The J&K police and its specialised limbs are becoming more effective and assuming greater responsibility. It should be

Shahabuddin's Letter to NCHR, 22 September 1997

As you must have seen in the papers, 11 persons including 7 women lost their lives in Village Arin, Bandipora Tehsil, Distt. Baramulla, J&K when 3 mortar shells hit the house of Abdul Aziz Mir on 18 September, 1997. 9 others have been injured and are under treatment. Accusing fingers have been raised against the BJP, the Army and the Rashtriya Rifles. Each is blaming the other.. The State Government has deplored the incident and instituted a magisterial inquiry and announced an ex-gratia payment of Rs. 1 lakh for the next of kin of each person killed.

However, even by the standards of violence raging in the Valley since 1990, this is an unprecedented occurrence. There have been many occasions of security forces attacking a human settlement in retaliation for firing on a passing convoy and destroy houses suspected of sheltering militants. But in the cases, there was no excuse - no question of hot pursuit; there was no engagement between the militants and the security forces in the vicinity.

I personally think that such occurrences reflect apathy and disdain for Kashmiri life and property by the security forces in the environment created by long drawn out insurgency and counter-insurgency operations and the prolonged imposition of Armed Forces (Special Powers) Act. I am convinced that whatever progress is made in normalcy the situation is completely nullified by one such act.

It is therefore, requested that the National Human Rights Commission should suo moto undertake an inquiry in this accident, unless the State Government sets up a judicial Commission of Inquiry.

possible for the security forces gradually and selectively to thin out, adopt a lower profile and encourage local communities to undertake village and mohalla defence...

Some way must be found to avoid the total administrative, political and social vacuum that follows the durbar move from Srinagar to Jammu and vice versa twice a year... This is an extremely sensitive and volatile issue. Nevertheless it must be faced sooner or later. Meanwhile, there is no reason why Srinagar should be a deserted city through the long, bleak winter. With Uri power to light it up, the state and Central governments should plan a series of conferences and events that will keep alive some activity... Fear is beginning to lift in the Valley. This is something to celebrate in Kashmir.

(Source: The Times of India, 7 August, 1997)

JKLF: (Yasin Group)'s Statement On Pakistan's Claim to Kashmir

In the map of Pakistan ... Kashmir has been shown as part of Pakistan ... includes Azad Kashmir, Gilgit and Baltistan but it does not indicate that these are disputed areas of Jammu and Kashmir. The Indian part of Kashmir has been described as disputed territory.

After seeing the map, as a patriotic Kashmiri, a number of questions arose in my mind. Does it imply that the rulers of Pakistan want to give an impression to the Pakistani people, Kashmiri patriots and the world that the government of Pakistan has accepted the present line of Control as permanent border and conceded the division of the State as a permanent solution...

Your readers would remember that the present line of control used to be called 'cease file' line which meant that the war had not yet ended but it has been suspended. With the separation of East Pakistan, Government of Pakistan headed by Zulfikar Ali Bhutto signed the Shimla Agreement with Indian Prime Minister according to which Cease File Line was changed to Line of Control. At that time the impression was that the Pakistan Government had crucified Kashmir in order to get the army prisoners of Pakistan released and Pakistan area occupied by India vacated.

It was followed by movement to make Azad Kashmir as fifth province of Pakistan. Gilgit and Baltistan were already directly under the control of Pakistan and the government considers it to be northern part of Pakistan and not part of Kashmir. Though according to law, constitution and history they have always been part of state of Jammu and Kashmir. After partition of the country, the attempts to annexe Kashmir forced the Ruler to accede to India (and) resulted in its division between India and Pakistan. The division has divided many Kashmiri families...

... 'On what basis Pakistan can treat it as its part'. When did Azad Kashmir accede to Pakistan and which ruler of Azad Kashmir had the right to do so. Similarly who decided the future of Gilgit and Baltistan'.

Thus Pakistan's case is very weak... Mere occupation ... does not make right of proprietorship. It involves legal, constitutional and historical factors and it is a matter of future and wishes of the people of the State. According to present legal position, Jammu and Kashmir State is disputed. It is neither part of Pakistan nor of India. Their future has to be decided by the people. The attempts of Pakistan agencies to deprive people of J&K with their basic rights exposed their intentions, and amounts to stabbing at the back the freedom movement of Kashmir... People should protest against it and demand that Pakistan should immediately correct its policy...

Sunil Sethi

On Kashmir's Need for Good Governance

... The revival of an elected government however slow or hesitant, has had a tremendous impact in the Valley in these twelve months. Life has gradually been seeping back into the town of Kashmir...

About a month ago, in the first tentative step towards withdrawal of troops, the BSF was withdrawn from parts of Anantnag and replaced with companies of the CRPF and J&K Police. This week, the Army announced follow-up action with a phased withdrawal of its forces from five towns, starting with Srinagar, and putting similar replacements in place.

If proof were wanting that the restoration of the political process has brought with it a degree of confidence it is to be seen in such moves. ...

The sheer physical and psychological relief of a reduced military presence in Kashmir's urban centres signals a freedom from fear ... The first signs became visible last winter when substantial numbers of skilled but jobless Kashmiris ... began to migrate to Jammu in search of seasonal employment...

There have been many such signs of loosening reflexes throughout this year that indicate a rapid change in mood since 1989 when central rule was imposed...

This summer half a dozen hotels have reopened their doors ... and the bazaars are open till long after dark.

On Sundays the Mughal gardens by the Dal Lake throng with thousands of picnickers...

There is even talk of the cinema houses throwing open their doors and the video libraries, once "banned" have long been back in business.

Although Kashmir's main towns have mostly been flushed out of militants and the J&K police to some extent revitalised, neither has terrorist violence been eliminated nor feelings of alienation and discontent wiped out.

An anti-India mood is still perceptible. However ... an elected government is answerable to people's grievances and responsible for day-to-day governance.

What Kashmiri's now need is better governance. not the army's presence... This is the moment that Farooq Abdullah National Conference's must seize as a turning point.

(Source: The Times of India, 11 October, 1997)

My struggle is for self-determination and not pre-determination. In working for a world order free from exploitation and strife, I need your help. Please help me fight injustices, social, political, regional, racial, religious and ethnic.

- Shabir Shah, APHC Leader

COURT RULINGS ON EDUCATION

Supreme Court

On Minority Institutions

State of Bihar and others, Appellants v. Syed Asad Raza and others, Respondents.

K. RAMASWAMY AND G.B. PATTANAIK, JJ.

Bihar State Universities Act (23 of 1976), Section 35 - ... Creation of post by Governing Body and Appointment thereto - Approval of Vice-Chancellor - Not necessary in case of minority institution in view of Section 35 - Agreement between minority institution and University requiring approval of V.C. entered before enforcement of Act - No longer subsist - Person so appointed in minority institution would be entitled to grant-aid under Article 30 (2)...

(Source: AIR 1997 Supreme Court 2425)

Supreme Court on Religious Denomination

Sri Kanyaka Parameswari Anna Satram Committee and others, etc. v. Commissioner, Hindu Religious Charitable & Endowments and others etc.

K. RAMASWAMY AND G.B. PATTANAIK, JJ.

Constitution of India, Article 26 - Denominational status - Hindu sections of Arya Vysya Community worshipping Goddess Matha Kanyakaparameshwari - Not a religious denomination - It is an institution covered by provisions of Endowments Act.

(Source: AIR 1997 Supreme Court 2332)

Calcutta High Court

On Education

The State of Tamil Nadu, Appellant v. Smt Kannammal Educational Trust and others, Respondents.

K.A. SWAMI, C.J. AND RAJU, J.

Madras University Act (7 of 1923), Sections 53, 54 - Private Law College - Grant of affiliation - Affiliation approved by Bar Council of India - "No Objection Certificate" from State Government before seeking affiliation - Is not necessary.

(Source: AIR 1997 Madras 283)

Allahabad High Court

On Reservation of Internal Students

Mohammad Kashif, Appellant v. Aligarh Muslim University, Aligarh and another, Respondents.

D.P. MAHAPATRA C.J. AND SUDHIR NARAIN, J.

... Education - Diploma Engineering course - Admission - Reservation of seats for Internal candidate - Academic year of course applied for admission relevant for admission as internal candidate and not date of admission test - Candidate passing qualifying examination more than three academic years preceding date of admission to course applied for - Not liable to be treated as internal candidate.

(Source: AIR 1997 Allahabad 274)

Progress of Major Government Schemes for Minorities

... During the 8th Plan period, against a budget allocation of Rs.100 lakhs for the Scheme of Modernisation of Madrasa Education, an amount of Rs.383 lakhs was released to states. Although 810 madrasas were assisted against a target of 250. We have also received the Planning Commission's clearance for continuing assistance to 746 madrasas which had been assisted during 1995-96 and 1996-97. We intend to continue the scheme during 9th Plan. A budget estimate of Rs.700 lakhs has already been provided for the year 1997-98. About 1500 madrasas are likely to be covered during 9th Plan. As regards the Area Intensive Programme for Educationally Backwards Minorities, an amount of Rs.897 lakhs was released to state Governments during 8th Plan period against a plan outlay of Rs.1,627 lakhs. The physical target and achievements during 8th plan are given below:-

- i) Opening/organisation of building for 427 Primary/Upper Primary schools, 3 Secondary schools, 6 residential higher secondary schools for girls, 388 class rooms.
- ii) Upgradation of 22 Primary schools to Upper Primary schools, 2 Higher schools to Higher Sec. schools.
- iii) Construction of hostel building for 10 Girls Higher Secondary Schools.
- iv) Construction of toilets in 10 schools.
- v) Construction of teaching/learning material in 538 Primary/Upper Primary schools.

For 9th Plan period, plan outlay of Rs.6508 lakhs is proposed and B.E. for 1997-98 is Rs.1000 lakhs, out of which an amount of Rs.630 lakhs is required to meet the committed liabilities carried over from the 8th Plan period. The balance amount of Rs.370 lakhs is to be spent on creation of additional infrastructure in identified minority concentration areas.

(Source: MOS M.R. Saikda's Letter of 31.10.1997 to S. Shahabuddin)

(Contd. from Page 544)

total or irreversible commitment to any one secular party. There are many practical difficulties in fine-tuning their electoral response to allow for variation from one constituency and the next, but if indeed operationalised, the strategy will, far from nullifying the political effectiveness, shall reinforce it and transform them from a passive object to an active subject of the political and electoral process. Indeed, either the secular parties will then stop under-cutting each other in Muslim concentration constituencies or vie with each other in putting up strong candidates, acceptable to the Muslim voters. And the Muslim votes in UP have long proved that they do not vote for Muslim parties or even for Muslim candidates but for secular parties and will continue to do so.

Maulana Azad Education Founction: Amounts Sanctioned/Released 1989-90 and upto December, 1996

Institute	Purpose	Amount (in Lakhs)					
		Sanctioned	Released				
Andhra Pradesh:							
1. Amin Industrial Training Instt., Cuddapah.	Purchase of equipment	0.30	0.30	5. MESCO Industrial Training Instt., Mysore	Purchase of equipment.	0.30	0.30
2. Mohammadia Education Society, Guntur.	Purchase of equipment	0.40	0.40	6. Farooqui Pre-University College, Mysore	Purchase of equipment.	0.50	0.50
3. The Muslim Orphanage Cuddapah.	Purchase of equipment	0.50	0.50	7. Sultan Shaheed Educational Trust, Mysore.	To establish residential school	45.00	22.50
4. National Industrial Training Instt., Anantapur.	Purchase of equipment	0.20	0.20	8. Muslim Welfare Association, Chintamani	Construction of girls hostel building.	10.00	NIL
5. Anjuman-e-Khawateen Kashana, Hyderabad	For purchase of furniture, books & refurbishing of school building.	0.35	0.35	Kerala:			
Andaman:							
1. Island Islamic Foundation, Port Blair.	Construction of school building	1.00	NIL	1. Sethi Sahib Memorial Cochin.	Purchase of equipment.	0.30	0.30
Bihar:							
1. Yateem Khan A.K. Islam Patna City.	Purchase of equipment.	0.20	0.20	2. The Al-Ameen Educational Trust, Cochin.	Purchase of equipment.	10.00	9.00
2. Shah Rashidullah Instt. of Technology, Patna.	Purchase of equipment.	0.20	0.20	3. Al-Islam Charitable Trust, Calicut.	Construction of laboratories.	22.00	11.00
3. Yateem Khan Anjuman-e-Khadimul Islam, Patna	Opening of residential school.	39.00	10.00	Madhya Pradesh:			
4. Ayub Urdu Girls School cum-Inter College, Patna	Construction of Vocational Centre and Girls Hostel.	30.00	15.00	1. Muslim Welfare Society, Bhopal.	Purchase of equipment.	1.00	1.00
5. Maulana Azad College of Engg. & Technology Patna.	Construction of laboratories building & purchase of equipment.	50.00	25.00	2. Muslim Education & Career Promotion Society, Bhopal.	Purchase of equipment.	0.90	0.90
6. Najmun Nesa Women Craft Centre, Patna.	Purchase of equipment.	5.00	5.00	Maharashtra:			
7. Ayub Urdu Girls High School-cum-Inter College, Patna.	Purchase of equipment	5.00	5.00	1. Modern Education Society, Parbhani.	Purchase of equipment.	0.12	0.12
Delhi:							
1. Society for Promotion of Education, Delhi.	Purchase of Computers.	0.65	0.65	2. Maulana Azad Education Trust, Aurangabad.	Purchase of equipment	10.00	10.00
Gujarat:							
1. Gujarat Vidyapith Ahmedabad.	Endowment Fund to start course in Urdu.	5.00	5.00	3. Shaheed Abdul Hameed Education Society, Yavatmal.	Expansion of school building.	2.20	2.20
Karnataka:							
1. Khatibi Service Society Bangalore.	Purchase of equipment.	0.25	0.25	4. National Women's Welfare Society, Yavatmal.	To establish typing centre	2.48	2.48
2. New Education Society Kallur (Raichur)	Purchase of equipment.	0.40	0.40	5. Maharashtra Cosmopolitan Education Society, Pune.	Preparing and distributing the Video Cassettes on various subjects.	2.00	2.00
3. Saiyid Madani Indus. Training Instt., Ullal	Purchase of equipment.	0.30	0.30	Manipur:			
4. Anjuman-e-Islam Polytechnic, Gadag.	Purchase of equipment.	0.30	0.30	1. Islamic Educational Development Orgn., Sangaiyumpham.	Construction of school building	19.00	NIL
Orissa:							
Punjab:							
Uttar Pradesh:							
West Bengal:							
Other States:							
Foreign:							
Total:							

EDUCATION

Rajasthan:

- | | | | |
|---|-------------------------------|-------|-------|
| 1. Marwar Muslim Education Society, Jodhpur | Expansion of school building. | 30.00 | 10.00 |
|---|-------------------------------|-------|-------|

Uttar Pradesh:

- | | | | |
|--|--|-------|-------|
| 1. M.R. Sherwani Indus. Training Instt., Amroha, Moradabad. | Purchase of equipment | 0.25 | 0.25 |
| 2. Shohrat Industrial Training Instt. Amroha, Moradabad. | Purchase of equipment. | 0.25 | 0.25 |
| 3. Jamia Ashraful Uloom, Muzaffarnagar. | Construction of school building | 5.00 | 5.00 |
| 4. Gonda Muslim Education, Gonda. | Construction of school building. | 24.70 | 8.00 |
| 5. Bal Bharti Nursery School, Allahabad. | Purchase of computers. | 5.00 | 5.00 |
| 6. Indira Academy, Deoband, Saharanpur. | To establish computer centre. | 1.56 | 1.56 |
| 7. Maulana Azad Niswan (Girls) Hr. Sec. School, Firozabad. | Expansion of school building | 5.00 | 4.00 |
| 8. Adarsh Faiz-e-Aam Education Society, Mathura. | Construction of Girl's Hostel building. | 30.00 | 15.00 |
| 9. Taleemee Society, Sahawar, Etah. | Expansion of M.A. Islamia Jr. High School. | 9.00 | NIL |
| 10. Shabbir Memorial Education Society Dhoerra, Aligarh | Expansion of school building and purchase of computer. | 6.00 | NIL |
| 11. Mohibuddin Muslim Educational Society, Azamgarh. | Construction of girls hostel | 40.00 | NIL |
| 12. Maulana Azad Education, Tech. & Industrial Society, Gorakhpur. | Expansion of School building | 7.43 | NIL |
| 13. Ismail Girls National Meerut | Expansion of school | 15.00 | NIL |

West Bengal:

- | | | | |
|---|---|-------|-------|
| 1. Elm-e-Noor Barkatia High Madrasah, North 24-Parganas | Purchase of equipment. | 0.20 | 0.20 |
| 2. Khoshdilpur High Madrasah, Guma. | Purchase of equipment. | 0.20 | 0.20 |
| 3. Islamic Educational & Welfare Trust Calcutta. | To establish residential school | 50.00 | 25.00 |
| 4. Hallyan Azad Sangha, Howrah. | Construction of girls hostel building. | 30.00 | 15.00 |
| 5. Society for Islamic Education, South 24-Parganas. | Construction of girls' hostel building. | 30.00 | 15.00 |



Cinkara, a non-alcoholic health tonic full of vitamins and minerals extracted from herbs. Assimilates in the system naturally. It helps you :

- Overcome fatigue
- Resists infection
- Increases stamina
- Improves mental performance
- Cures anaemia during pregnancy.

So, for you and your family's year round good health and happiness, go for Cinkara.



Two spoonfuls. Twice daily.

GET MORE OUT OF LIFE - WITH CINKARA

AKSHARHWL - 2592

C.P. Bhambri on Urdu Language

The partition of India had many negative consequences for the Pakistani and Indian society. One of the victim of the '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 ... India. A few important points about the development of any language may be made to situate the neglect of Urdu 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 ... knowledge of Urdu. But if the pipeline of supply is blocked, there is no prospect of Masoom Raza Rahi's and Naushad's 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 ... irrespective of their reasons... Why is Urdu dependent on politics? In a multilingual country, languages have to be legitimized by public opinion and political parties. For example, the DMK in Tamil Nadu spearheaded the movement for Tamil ... while in Andhra Pradesh, the Telugu Desam Party has taken over 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 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 (except in Bihar - Ed.). As a result, three post-independent generations of Muslims in India are devoid of knowledge of Urdu. No doubt, then, that for the third Muslim generation, the problem of Urdu is no problem at all. It is ironical to note that under the category of one modern language in three-language formula, Sanskrit, instead of Urdu, is taught as a Modern Indian language...
4. Hindi and Urdu as natural twins were separated by the politics of religion and backward caste politics of Lohia Socialists in North India. Hindi was appropriated by High Caste Hindus and also the champions of Backward Castes ... in U.P. and Bihar.

5. ... No public school has shown any interest in Urdu. The government maintains only a few schools in some ... states which are catering to the lower middle classes and with very poor infrastructure. The Muslim minority institutions also have very poor academic standards. The result is whatever little teaching of Urdu is undertaken, it is of very poor quality because the Indian elite has abandoned Urdu.
6. 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 Government, during its last session in the UP Assembly has 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 Paracharini 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 the stay vacated).

(Thus) a 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 ... Urdu medium schools can only be a non-starter as promoters 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 ... in short, the pro-establishment Muslims, should be kept at a distance.

(Statement at New Delhi Seminar, 15 January, 1997)

First of all I am a woman, then an Indian, then an actress, then a Muslim, an activist, a wife and a daughter. Not necessarily in that order. But post Babari Masjid, identity is being compressed into the narrow confines of religion to the absence of any other aspect of identity and that to me is extremely traumatising..

- Shabana Azmi, in the Afternoon
Despatch and Courier

Iqbal A. Ansari on Recognition of Minorities by Founding Fathers as Backward Classes

... The present Muslim demand can be validated in terms of the principles of neutralization of likely biases against them as well as for reasons of historical backwardness.

To consider the present Muslim demand as having implications of 'dangerous symbolic politics of mobilization around ethno-religious nationalism' as D.L. Sheth does (TOI, 20 September) is to misread the post-1947 Muslim situation in the entire subcontinent. The idea of exclusivist religion-based nationalism improvised by Jinnah stands discredited in the eyes of vast sections of Indian Muslims as well as among influential sections of Pakistani intellectuals. The reasons are obvious. The idea was given a go by in Jinnah's own first speech in the Constituent Assembly of Pakistan. Then the division of Pakistan in 1971 came as a culmination of linguistic-ethnic conflict... The currently ongoing struggle of the 'Mohajirs' has knocked the bottom out any remnant of the idea.

Even without these negative developments in Pakistan, the demographic distribution of Indian Muslims coupled with their low economic status and lack of other factors, like concentration in a good number of constituencies ... rules out ... any separatist political ambition...

The universally noted fact should not be forgotten that the traumatic events of 6 December, 1992 and its aftermath have not made Muslims more but less separatist...

The demands that sections of Muslims are now raising for their security, identity, economic development and share in national resources should be taken as gradual regaining of self-confidence so battered during decades after partition. It is a kind of psycho-political settling down and seeking of a place in the sun. This has synchronised with the world-wide assertion of subnational identities and increasing concern for the group rights of minorities within a state.

It is well that Sheth does recognise the right of minorities for protection of their cultural identities. It is the measures taken by the community or the state for realisation of distinct identity which arouse varying degrees of suspicion and even hostility of the power-wielding majority which tries to undermine the equal rights of minorities. It is this universal feature of the majority-minority situation (irrespective of any horizontal class-caste divisions among minorities themselves) that led the UN system to establish as early as 1947 the Sub-Commission for Prevention of discrimination of Protection of Minorities... This universally recognised

and well studied phenomenon of discrimination against minorities is hardly ever made a subject of study by scholars or NGOs or by the statutory Commissions, what to say, of its becoming a public issue in India. Prima facie case of discrimination against Muslims can be easily established by having a look at the share of Muslims in the State's patronage system and distribution of benefits and in discretionary appointments during the last five decades. By recognising and studying discrimination against Muslims and by taking measures to neutralise its effects will be better promoting the cause of secularism than by suppressing the muted voice of "injustice-done-to-Muslims" linking it with sad historical memories of the thirties and forties. In the process of any such study it will be found that whatever the degree of discrimination against Muslims it is directed against them as a religious community irrespective of the individual member's economic class, biradari, sect on origin (alien/indigenous) or ashraf - ajlaf categories.

The situation demands corrective measures, which can be effective when educational schemes and political processes directed towards removing inter-group prejudices are vigorously supplemented by legal-institutional measures for neutralization of bias. One such measure is fixing quota for the vulnerable and disadvantaged minority ... in all walks of national life. The other measure can be establishing a 'Commission for Equal Opportunities and Non-Discrimination' meant for all citizens and groups.

... Apart from their disadvantage as a religious minority, the bulk of their population is socially and educational backward and poor which ... has long historical roots... But it is very unfortunate that instead of determining on empirical basis the nature and extent of backwardness among minorities, especially Muslims, the Mandal Commission deduced the conclusion that the same 52% of non-Hindu converttees ... whose Hindu counterparts have been included in the list of Hindu OBCs, should be considered OBCs. Mandal Commission, however, was honest enough to admit that the criteria evolved by it was only "rough and ready". Strangely no attempt has since been made to refine it. Observers of the Muslim socio-economic scene, including D.L. Sheth, generally estimate backwardness among Muslims much higher. Moreover, backwardness determined on the objective criteria of education, occupation and income is not confined to occupation-based traditionally recognised backward biradaris.

D.L. Sheth is concerned that in case Muslims are given reservation as a religious minority most of its

benefits would be cornered by relatively advanced Ashraf Muslims, thus again denying historically deprived sections of Muslims their right to upward mobility. But in the event of Muslims getting quota reservation as a minority, their creamy layer will have to be exempted, thus leaving about the same percentage of Muslims who will enjoy the benefit of reservation which, as backwards, they will not be able to secure if they are bracketed with general OBCs, because of the operation of strong subgroup loyalties of Hindu OBCs. It is this realisation ... that is responsible of so-called OBC Muslims separate from Hindu OBCs.

... The demand ... should not be dismissed on the assumption that it will be violative of the secular principle of the Constitution. This assumption cannot stand the test of scrutiny. First the word 'class' used in Article 16(4) as elsewhere in the Constitution and in the laws of the land since British days includes 'communities' as pointed out by K.M. Munshi, during the discussion ... in the Advisory Committee (of the Constituent Assembly). He explained that "classes have been interpreted as minorities or religious communities also. Nobody has ever interpreted it as not meaning minorities". He cited the example of section 153A...

... Article 16(4) ... was initially conceived at the instance of a Sikh member as a special measure "to meet the claims of minorities to special representation in the services". Dr. Ambedkar explained on behalf of the drafting committee that classes of citizens not adequately represented had been used instead of just minorities to make the provision cover similar sections of citizens from among the majority community also. When doubts were expressed whether 'classes' would include minorities Sardar Patel, Chairman of the Committee, said, "This is simple English. Classes include minorities... The whole basis of the provision is minorities. You say the state will exclude minorities?" (Selected Documents, Shiva Rao, Vol. II, p.262). During the debate on the Article in the Constituent Assembly the words "community", "caste" and "class" were interchangeably used. The Supreme Court in its Judgement on the Mandal Commission case has also noted that "in his speech in the Constituent Assembly Dr. Ambedkar was using the word 'communities' (and not castes) which expression include not only the castes among the Hindus but several other groups". The Judgement illustratively and appreciatively referred to the categorization of Muslims, as a whole, as a backward community in the princely state of Travancore.

(A summarised version appeared in the Times of India, 16 October, 1997)

Dalit Human Rights Forum, Bangalore Seminar on Castes, 5 October, 1997,

Text of the Statement:

1. India is not a "nation" but a federation of different nationalities.
2. Each caste is a nationality and unless each nationality is assured of its share in all spheres, India's democratic structure, unity and integrity cannot be ensured.
3. Each caste must be strengthened so that it can fight for its share in power. This fight is possible only if each deprived caste preserves its "identity". Such an identity requires "caste consciousness". Hence the Bahujans must strive to create a burning caste consciousness among our people and develop it. If every caste is strengthened, brahminism will automatically disappear.
4. Bahujan thinkers must rewrite their respective caste history in their perspective just as the Devendra historians of Tamil Nadu did so that confidence and courage are injected into the hearts of deprived masses to fight their oppressors.
5. **Caste-based Census:** The upper caste rulers in the Government of India have hatched a conspiracy to destroy our identity by eliminating the caste column from the census. So the census to be conducted in the year 2001 must have a caste column as it was prevailing before 1935.
6. (As amended by) the "Madiga Dandora Movement" of A.P. ... SC reservations (should be categorised) according to the population of each subcaste in the SC list. Such a categorisation will bring harmony and understanding among the oppressed.
7. No religion can unite the different castes. But egalitarian religions like Buddhism, Islam, Christianity and Sikhism can bring understanding between castes and mentally strengthen the deprived castes to fight against casteism.
8. ... Only caste (should be taken) into consideration to provide constitutional reservation, and not religion or the income yardstick.
9. ... Dalit-Bahujan intellectuals (should) organise such seminars in all state and district capitals.

(Source: The Dalit Voice, 1-15 November, 1997)

Supreme Court on Reservation in Promotion

State of Punjab and others, Appellants v. G.S. Gill and another, Respondents.

K. RAMASWAMY AND G.B. PATTANAIK, JJ.

Constitution of India, Article 16 - Reservation - Single promotional post - Can be reserved - Carry forward rule and roster can also be applied to such post.

(Source: AIR 1997 Supreme Court 2324)

Supreme Court On Maintenance of Children

The Children of Muslim parents are entitled to grant of maintenance under Section 125 of Code of Criminal Procedure (Cr.P.C.) for the period till that attain majority or are able to maintain themselves whichever date is earlier, the Supreme Court has ruled.

In the case of Muslim female children they are entitled to get maintenance under Section 125 of CPC till they get married, the court said. ... The Bench noted:

"Whereas the 1986 Act deals with the obligation of Muslim husband vis-a-vis his divorced wife including the payment of maintenance to her 'for a period of two years of fosterage for maintaining the infant/infants,' while they are in the custody of the mother, the obligation of Muslim father to maintain the minor children 'is governed by Sec. 125 CPC and his obligation to maintain them is absolute till they attain majority or are able to maintain themselves. Whichever date is earlier,' the Bench noted and added that in the case of female children this obligation extended till their marriage.

Both under the "personal law" (governing Muslims) and the statutory law (Sec. 125 CPC), the obligation of a Muslim father, having sufficient means to maintain his minor children unable to maintain themselves till they attain majority and in case of females till they get married, is absolute notwithstanding the fact that the minor children living with divorced wife"... "Indeed it would be unreasonable, unfair, inequitable and even preposterous to deny the benefit of Sec. 125 CPC to the children only on the ground that they are born of Muslim parents"... "the effect of a beneficial, like Sec. 125 CPC cannot be allowed to be defeated except through clear provisions of a statute."

(Source: T. Padmanabha Rao in *The Hindu*, 31.7.1997)

Justice for All

Editorial, *The Times of India*, 4 August, 1997

The Supreme Court ruling ... should be welcomed as one more step forward on the road to a gradual and voluntary evolution of a uniform civil code. In fact, this particular judgment will benefit not just the Muslim community... By making these enlightened rulings on a case by case basis, the courts are, in fact, ensuring that UCC comes about in as painless a manner as possible...

... Many inequities remain which need to be corrected and the courts are certain to do so whenever the relevant cases come up before them. Among these are the sanction for polygamy and unilateral talaq in the Muslim Personal Law and the provision preventing persons other than Hindus from adopting a child... Despite the fears expressed by the political class, none of the judgments overturning provisions in personal laws have evoked any significant protest from the communities involved...

S.C. Judgement in accord with Shariat Shahabuddin's Statement, 9 August, 1997

"The recent ruling by the Supreme Court (SC) on the Muslim Child's right to maintenance by the father has been widely trumpeted as a departure from the Muslim personal law. However, the Supreme Court's essential ruling is fully in accordance with the Shariat. It has correctly ruled that the Muslim Women (Protection of Rights on Divorce) Act, 1986 is limited to the rights of Muslim divorcees and does not cover the rights of children under Muslim Law. It is gratifying to note that the SC has given this ruling a universal dimension.

The objection raised by the Muslim community to Sec. 125 of Cr.P.C. was basically on account of the definition of 'wife' to include 'divorcees'. This was sought to be clarified by the legislature by inserting Sec. 127(3)(b) but this was ignored by the SC in the Shah Bano case. This led to the enactment of the Muslim Women (Protection of Rights on Divorce) Act, 1986.

In this case the Supreme Court has, however, ruled that the father has to maintain his minor children till they attain majority and in the case of females till they get married, notwithstanding the fact that the minor children are living with divorced wife.

Under the Muslim personal law, the father may exercise the option of custody, in the case of a son, after the age of 7 and in the case of a daughter, if the mother remarries. This aspect also has been covered by the Supreme Court by leaving it open to the father to seek custody under the relevant laws. In any case, Section 125 of the Cr.P.C. is silent on the question of custody.

Unfortunately there is a tendency to confuse three separate issues: social reform in the Muslim society, the codification of Muslim personal law and the introduction of a uniform civil code - optional or otherwise. Once this confusion is removed, it will be seen that even the much-maligned Muslim Women (Protection of Rights on Divorce) Act, 1986 is much more beneficial to Muslim divorcees than the common dispensation under Section 125 of the Cr. P.C.

Those who would like a uniform civil code to be introduced through the judicial backdoor, must appreciate the bigger issues involved: the sanctity of the principle of the supremacy of the legislature and the violation of the constitutional guarantees of religious freedom.

Unequal Before the Muslim Law

- * The right of a Muslim male to polygamy.
- * The right of a Muslim male to unilaterally divorce his wife.
- * (The exclusive right of) a Muslim (male to be) guardian of minor child's property.
- * Inequality in inheritance.

(Source: *The Communalism Combat*, May 1997)

Report on Al Falah's Seminar On Indian Muslims in Contemporary Economy

Prof. Ali Muhammad Khusro, former Vice-Chancellor of Aligarh Muslim University (AMU), has urged Muslims to set up mass organisations to help the community, provide them with information of opportunities and train them so that their economic conditions might be ameliorated.

Addressing his key-note address at a seminar on "Contemporary Economic Systems And Indian Muslims" organised by Oriental Society and sponsored by Al-Falah Group of Companies in New Delhi on October 12... He also urged Muslims to pay more attention to education and open their institutions even for other communities. "Christians are the most educated as they have opened gates even for others," he pointed out...

The former Finance Minister Dr. Manmohan Singh expressed regret that Muslims could not take advantage of new economic policies and the targeted results of progress could not be achieved. Progress will remain incomplete unless and until the Muslims get their rights, he stressed and continued that Muslims should have knowledge of the various schemes of the Government and how to exploit them.

He said that Indian banks should consider Islamic banking system and provide facilities for it. Muslims should also set up private banks and in 141 Muslims-dominated districts in the country, they should set up urban cooperative banks, he suggested.

Rejecting the concept of reservation for Muslims in ... jobs and education he said that they should not depend on quota and spread their wings in the field of education, particularly technical education, so that they might not need quota... The former Secretary, Ministry of Steel, Mr. Moosa Raza ... was critical of Dr. Manmohan Singh that the then Congress Government had disapproved his (Moosa Raza's) request for Muslims' representation in the National Minority Development Corporation (NMDC) (the authorised capital of which is Rs 500 crore) and its officials have granted a loan of Rs. 100 crore up to now and it is unknown where the money meant for minorities went...

He also criticised the nationalised banks for demanding margin money and guarantee for loan which they knew that Muslims cannot comply with. He suggested that the Government should set a condition that the private sectors borrowing money from nationalised banks should fix a quota for Muslims while employing people and a parliamentary committee of minorities be formed. He urged Muslims to pay more attention to self-employment schemes, education and information technology... He also urged Muslim educational

institutions - AMU, JMI and Jamia Hamdard, etc. - to ... give a vision and outlook to the community.

Criticising the present system of banking for its failure to solve problems, Prof. Yaseen Mazhar Siddiqui of AMU said that all the systems, excluding Islam, are made by man of limited knowledge and power and they cannot solve problems. Islam lays emphasis on social system and on the one hand, it opens the gates of opportunities and on the other it has put a ban to exploitation and monopoly. Under the present system a limited number of people get benefited; and Islam salvages man from greed of money and prescribes provisions for correct distribution of wealth and property, he stressed.

As for insurance, Prof. Siddiqui said that some Muslims have allowed it on the pretext that owing to the need, the unlawful becomes lawful. The very approach is wrong, he added.

Prof. Syed Naseem Zaidi, Department of Economics, AMU ... urged Muslims to prepare themselves for competition which is increasing day by day.

Presiding over the function, Mr. Jawad Ahmad Siddiqui, chairman of the Al-Falah Group, said that ... welfare cannot take place unless and until we ourselves do for our welfare.

He (suggested that) Madrasas might introduce ITI or other technical courses, (which worth cost) only Rs. five or seven lakh... He introduced a scheme Mutual Fund for Haj (so that) a Muslim intending to perform Haj may invest money for four years and perform Haj after the maturity of the bond...

He also suggested Muslim businessmen to (register) their businesses (with) Income Tax Offices ...

(Courtesy: The Radiance, 19-25 October, 1997)

Government Statement On Socio-Economic Survey

... The NSSO has already conducted the fifth quinquennial survey (NSS 50th round) on Consumer Expenditure and Employment and Unemployment during July 1993 to June, 1994. Feasible tables based on the survey data reflected of socio economic and educational status of Muslim Indians will be compiled and released shortly. Moreover, the sixth quinquennial round (NSS 55th round) will be taken up during July 1998 to June, 1999. As usual, the socio-economic and educational status of the religious minorities will be surveyed in that round too.

(Department of Statistics, Ministry of Planning's Letter No. I-34011/1/95-NSSO (CPD) dated 28 October, 1997 to S. Shahabuddin)

M.P. State Minorities Commission: Annual Report, 1996-97

The most significant achievement ... during the year was the enactment and enforcement of the Madhya Pradesh State Minorities Commission Act, 1996... The Act ... confers adequate powers for the discharge of the duties... During the year under report, the Commission brought to the notice of the Government a number of problems facing the minority communities in the State and ... in many matters ... proper action was taken...

... Reports have been received by the Commission that the district level Minorities Welfare Committees are not meeting regularly nor deliberating on the matters entrusted to them for their consideration. No monitoring system has been evolved to ensure this. There is an obvious need for adequately monitoring the activities the activities of the district level Minorities Welfare Committees.

(It has been suggested that) the Chairman of the District Panchayat should be made as permanent invitee of the District Level Minorities Welfare Committee so that the Committee may profit from the various welfare activities ... in the District... The Commission has repeatedly stressed that unless some compensation is paid to illiterate men and women ... the object of universalization of education will not be achieved...

... Apart from illiteracy, one of the cardinal reasons why the (minority communities) have not been able to progress is that they have not received proportional benefits of the various development programme being implemented in the State. Unless this is ensured the economically backward minority communities will never be able to get social justice...

(The Commission has) proposed some practical steps for augmenting employment opportunities for the minorities...

Mismanagement of Waqf properties, encroachment of cemeteries, non-allotment of land for new cemeteries and places of worship are some of the irritants which cause disaffection among the minority communities... The State Government (should) sensitise the administrative machinery to their needs.

... As a result of the initiative taken by the Commission, satisfactory arrangements for the registration of Parsi marriages has been made in Indore...

Social, Economic and Educational Survey of Minorities:... The State Government has sanctioned Rs. 5.00 lakh for initiating a social, economic and educational survey of the minority communities of the State. The survey has already begun...

Multi-Sectoral Development Schemes: Bhopal district ... has been included ... under the multi-sectoral

development scheme (of) the Ministry of Welfare, Government of India...

Education: Appointment of Urdu Teachers: (In 1995-96) the State Government ... sanctioned 1100 posts of Urdu teachers, but so far only 902 posts have been filled and 198 posts still remain vacant. ...

... The M.P. Government have recognised Adib-e-Mahir, Adib-e-Kamil and Moallim-e-Urdu Certificate awarded by the Jamia Urdu, Aligarh for the appointment of teachers.

Area Intensive Programme: The State Government ... has already taken steps to implement the Area Intensive Programme (of) the Union Government for the promotion of education among the Muslim Minority Community...

Training for Competitive Examinations: ... The Chancellor of the University (Governor of M.P.) has directed the Universities of the State to prepare suitable schemes for (coaching minority students for competitive examinations) and obtain the approval of the Universities Grants Commission as soon as possible...

Employment Schemes: ... The minority communities... have received only 2% of the financial assistance being given by the Nationalised Banks and the Cooperative Banks under various programmes being implemented for the development of the weaker sections, when their percentage in the State's population is 5.89...

Waqf Tribunal: M.P. is the first State ... to appoint a Waqf Tribunal under a District Judge for the expeditious disposal of disputes relation to Waqf properties... The Tribunal had decided 607 cases by February 1997 and the number of pending cases before the Tribunal was 969...

Association of Minority Member in Recruitment: The Government of M.P. decided way back in 1988 that wherever five or more posts were to be filled in any government establishment, the selection committee constituted for selecting candidates should include at least one representative of the minority communities... The Chief Minister has ordered that the instructions of the Government should be strictly complied with.

Review of Welfare Activities:

The Commission has decided to review the activities of 14 departments of the State Government concerned with implementing schemes of welfare for the minority communities.

Gas Affected Employees:

... The Commission has recommended to the State Government that (Government and Public Sector Undertaking) employees affected by gas disaster and undergoing treatment at Bhopal may not be transferred out of the city.

Recommendations:

Education ... The Basic Training Institute at Burhanpur should be re-opened from the next academic session for training the newly recruited Urdu teachers... Expeditious action be taken to constitute a Madarsa Board in M.P. on the lines of the Madarsa Board in Bihar... The mid-day meal scheme for primary school children (should be) extended to Primary Schools, Madarsas and Makhtabs run by Waqf Board... The State Govt. ... extend financial support to (Bhopal & Indore) Universities for continuing ... coaching classes (after UGC Scheme expires).

Employment: ... The Commission has recommended that a target of providing gainful employment to 20,000 persons each year should be set ... under the Prime Minister's Employment Programme; ... the Integrated Rural Development Programme; ... in traditional crafts (and) self-employment opportunities ... with assistance from the Minorities Development and Finance Corporation...

Miscellaneous: ... Chairman of the district Panchayats ... be included as permanent invitees in the District Level Minorities Welfare Committees... An Advisory Committee under the Chairmanship of the Chief Minister be constituted to advise the Government on the welfare of the minority community.

The Commission has recommended that the following nine Muslim Biradaris ... be included in (the list of OBC's):

- | | |
|-----------------------------|------------------------------------|
| (i) Muslim Gaddi, | (vi) Muslim Dafali, Phadali |
| (ii) Muslim Dhosi, | (vii) Muslim Atishvaz, Darvesh |
| (iii) Mukeri & Makrani, | Atishbaz, Sikligar |
| (iv) Sigiwale, Kharadi, | (viii) Rajgir, Santras, Patharphod |
| Kamlikar | (ix) Farrash Mahavat |
| (v) Muslim Shah, Sai, | |
| Kabrkhod, Phokri & Darvesh, | |

... The benefit of the Pratistha Scheme be extended to the Haila Biradari. ... The Collectors be directed to ... expeditiously ... dispose of cases ... under the Madhya Pradesh Public Religious Place Regulation Act regarding the maintenance, repair and renovation of public places of worship within a month...

The State Government have constituted an Urdu Academy for the promotion of Urdu Language and Literature. The Madhya Pradesh Urdu Academy ... be additionally entrusted with the responsibilities of promoting education in Urdu throughout the State.

Minority Communities in Madhya Pradesh

Minority Religious Communities	Persons	%age of total Population	%age decadal growth rate 1981-91	%age to Rural Population	%age to Urban Population
Muslims	3282,800	4.96	+31.21	2.33	13.67
Christians	426,598	0.65	+21.20	0.53	1.04
Buddhists	216,667	0.33	+187.69	0.27	0.52
Sikhs	161,111	0.24	+12.65	0.08	0.77

With Best Compliments

From

Nalanda Export Pvt. Ltd.

**98, Mittal Chambers
Nariman Point, Mumbai-400 021
Tel: 202 3390**

Minorities Forum of India: 2nd All India Conference, New Delhi 25 October, 1997, Resolution (Summary)

- (1) Special schemes be launched to provide financial assistance and recognition, etc. without delay to the educational institutions being set up by the Minorities...
- (2) Muslim's representation in the Government, Semi-Government and Corporate sector, jobs be ensured in accordance with their population ratio and the quota of backward Muslims in accordance with their population ratio of 8.44% out of 27% reservation quota for backwards be also ensured...
- (3) The minority, democratic, autonomous and historical character of the Jamia Millia Islamia be ensured...
- (4) The democratic functioning of the statutory bodies of the Aligarh Muslim University e.g. AMU Court and Students Union etc. be restored... In 1998 Sir Syed Centenary Celebrations be observed at National level.
- (5) ... Recommendation of the Gujral Committee be implemented forthwith... Urdu service be given due share in Official Media and UNI Urdu service be not closed or discontinued.
- (6) Central Waqf Act, 1995 be immediately amended... State Waqf Boards be given necessary financial grant...
- (7) Central Haj Committee and Central Waqf Council, etc. be reconstituted in democratic manner. Due representation be given to the Minorities ... in the appointments of High Court and Supreme Court Judges, Advocates representing the Government in Supreme Court, High Courts and other Bodies, Directors of Banks, Chairmen of Corporations, chairmen and members of different committees of Central and State Governments, Universities and other bodies.
- (8) A separate Ministry of Minorities Welfare be created at the Central level...
- (9) ... The High Court directly or through the Supreme Court (be requested) for day to day hearing of the cases relating to Babari Masjid.
- (10) ... The State Government be directed to ensure speedy trial of Hashimpura-Malliana massacre ... and Babari Masjid demolition.
- (11) Leaders of VHP, RSS, Shiv Sena and Bajrang Dal etc., who have been demanding conversion of Gyanvapi Mosque of Varanasi and Idgah Mosque of Mathura into temples, should be prosecuted under the Places of Worship Act.
- (12) Prominent freedom fighters belonging to Minorities ... be given due recognition and honour by the Central and State Governments.

POLITICS INDIA

A window to understanding today's politics

Special Subscription Offer

Year(s)	News-stand Price	Subs. Rate	Saving%
3 (36 Issues)	Rs. 432	Rs. 260	40%
2 (24 Issues)	Rs. 288	Rs. 200	30%
1 (12 Issues)	Rs. 144	Rs. 110	25%
Life Subscription : Rs. 1500		Price per copy Rs. 12/-	

**Overseas
Annual Subscription
(by air) : US\$ 30**

YES! I wish to receive *Politics India* every month.

I/We enclose a sum of Rs. through Draft/Cheque/M.O. No. dated in favour of VIMOT PUBLISHERS PVT. LTD. towards subscription of 'Politics India' for years.

Please mail the issues of the Magazine to the following address:

Name

Address

PIN TEL NO. FAX

VIMOT PUBLISHERS PVT. LTD.

Signature

Grandlay Complex (3rd Floor), New Friends Colony,
New Delhi - 110065 (INDIA)
Tel.: 6924496/97, Telefax: 6836375, 6835447

Concluding Observations of the Human Rights Committee on India's Third Report 16th Session, Geneva, 14 July - 1 August, 1997

The Committee welcomes the lapse, in 1995, of the Terrorist and Disruptive Activities Act (TADA), under which members of the security and armed forces enjoyed special powers in the use of force, arrest and detention. It also welcomes the related review of cases under this Act, following which a number of cases were dropped, and the directives given by the Supreme Court to deal with questions of bail under the TADA, though a number of cases still require to be dealt with.

The Committee, noting that, international treaties are not self-executing in India, recommends that steps be taken to incorporate fully the provisions of the Covenant into domestic law, so individuals may invoke them directly before the Courts. The Committee also recommends that consideration be given by the authorities to ratifying the Optional Protocol to the Covenant, enabling the Committee to receive individual communications relating to India.

The Committee notes with concern that, despite measures taken by the Government, members of SCs and STs, as well as the so-called backward classes and ethnic and national minorities continue to endure severe social discrimination and to suffer disproportionately from many violations of their rights under the Covenant, including, inter alia, inter-caste violence, bonded labour and discrimination of all kinds...

... It recommends that further measures be adopted, including education programmes at national and state levels to combat all forms of discrimination against these vulnerable groups, in accordance...

4. The Committee remains concerned at the continuing reliance on special powers under legislation such as the Armed Forces (Special Powers) Act, the Public Safety Act and the National Security Act in areas declared to be disturbed and at serious human right violations ... committed by security and armed forces acting under these laws as well as by paramilitary and insurgent groups. The Committee, noting that the examination of the constitutionality of the Armed Forces (Special Powers) Act, long pending before the Supreme Court is due to be heard ... hopes that its provisions will also be examined for their compatibility with the Covenant.

... The Committee endorses the views of the National Rights Commission to the effect that terrorism and armed insurgency are essentially political in character and that the approach to resolving such problems must also, essentially, be political, and emphasizes that terrorism should be fought with means that are compatible with the Covenant.

The Committee notes with concern that criminal prosecutions or civil proceedings against members of the security and armed forces, acting under special powers, may not be commenced without the sanction of the Central Government. This contributes to a climate of impunity and deprives people of remedies...

The Committee recommends that the requirement of governmental sanction for civil proceedings be abolished and that it be left to the courts to decide whether proceedings are vexatious or abusive. It urges that judicial inquiries be mandatory in all cases of death at the hands of the security and armed forces and that the judges in such inquiries including those under the Commission on Enquiry Act of 1952, be empowered to direct prosecution of security and armed forces personnel.

The Committee regrets that the National Human Rights Commission is prevented by Clause 19 of the Protection of Human Rights Act from investigating directly complaints of human rights violations against the armed forces, but must request a report from the Central Government. The Committee further regrets that complaints to the Commission are subject to a one-year time-limit, thus preventing the investigation of many alleged past human rights violations.

The Committee recommends that these restrictions be removed... It further recommends that all states within the Union be encouraged to establish Human rights Commissions.

The Committee expresses concern at allegations that police and other security forces do not always respect the rule of law and that, in particular court orders for habeas corpus are not always complied with, particularly in disturbed areas. It also expresses concern about the incidence of custodial deaths, rape and torture... It recommends:

- a. The early enactment of legislation for mandatory judicial inquiry into cases of disappearance and death, ill-treatment or rape in police custody;
- b. The adoption of special measures to prevent the occurrence of rape of women in custody;
- c. The mandatory notification of relatives of detainees without delay;
- d. The guarantee of the right of detainees to legal advice and assistance and to have a medical examination;
- e. And that priority be given to providing training and education in field of human rights to law enforcement officers, custodial officers, members of security and armed forces, as well as judges and lawyers, and that the United Nations Code of Conduct for Law Enforcement Officers be taken into account in this regard.

The Committee regrets that the use of special powers of detention remains widespread.

The Committee recommends that the requirements of article 9, paragraph 2, of the Covenant be complied with in respect of all detainees. The question of continued detention should be determined by an independent and impartial tribunal constituted and operating in accordance with article 14, paragraph 1, of the Covenant. It further recommends, at the very

least, that central register of detainees under preventive detention laws be maintained and that the State party accept the admission of the International Committee of the Red Cross and Red Crescent to all types of detention facilities, particularly in areas of conflict.

The Committee notes with concern that although the TADA (Prevention) Act has lapsed, 1,600 people remain in detention under its provision.

The Committee recommends that measures be taken to ensure either the early trial of these people or their release. It is also concerned that there are legislative proposals to reintroduce parts of the Act and that this could lead to further violations of the Covenant.

The Committee urges the institution of reforms to the procedure of the courts to ensure a speedy trial of those charged with offences, prompt hearing in civil cases and similar urgency in ~~the~~ appeals.

The Committee expresses its concern at reports that fines have been imposed on communities in areas declared as disturbed, without hearing.

The Committee thus recommends that the relevant penal provisions be closely monitored and effectively implemented, so that the imposition of such fines be prohibited.

The Committee welcomes the third periodic report of India, although it regrets the delay in submitting it... The Committee regrets the lack of information therein on difficulties encountered in implementing the provisions of the Covenant in practice...

The Committee recognizes that terrorist activities in the border states, that have caused the death and injury of thousands of innocent people, force the State Party to take measures to protect its population. It stresses, however, that all measures adopted must be in conformity with the State party's obligations under the Covenant.

The Committee welcomes the establishment of the National Human Rights Commission in 1993 and the respect which the Government of India accords to its recommendations. The Committee notes that the Commission has been given powers, limited though these are, under the Protection of Human Rights Act, to inquire into complaints of human rights violations, to intervene in court proceedings involving allegations of human rights violations or otherwise dealing with human rights issues, to review constitutional and legal norms and the conformity of laws with international human rights instruments, to make specific recommendations to the Parliament and other authorities and to undertake activities in the field of human rights education. It also welcomes the recent setting up of Human Rights Commissions in six states, including Punjab and Jammu and Kashmir, and of Human Rights Courts in several other states of the Union... The Committee notes the introduction of a Bill to reserve one third of the seats for women in the Federal Parliament and in state legislatures.

The Committee welcomes the restoration of elected legislatures and governments in all states within the Union, including Punjab and J&K, as well as the holding of federal parliamentary elections in April-May 1996. In

addition, the Committee welcomes the constitutional amendment giving statutory basis to Panchayati Raj - village self-rule institutions and the enactment of the Panchayati Raj (Extension to Scheduled Areas) Act of 24 December 1996... The Committee further welcomes the intention declared by the Government to introduce legislative measures to further freedom of information.

The Committee, noting the reservations and declarations made by the Government of India to articles 1,9,13,12,19, paragraph 3,21 and 22 of the Covenant, invites the State party to review these reservations and declarations with a view to withdrawing them...

While acknowledging measures taken to outlaw child marriage (Child Marriage Restraint Act), the practice of dowry and dowry related violence (Dowry Prohibition Act and the Penal Code) and sati - self-immolation of widows - (Commission of Sati (Prevention) Act), the Committee remains gravely concerned that legislative measures are not sufficient and that measures designed to change the attitude which allow such practices should be taken. The Committee is also concerned that giving male children preferred treatment persists, and deplores that practices such as foeticide and infanticide of females continue. The Committee further notes that rape in marriage is not an offence and that rape committed by a husband separated from his wife incurs a lesser penalty than for other rapists.

The Government must take further measures to overcome these problems and to protect women from all discriminatory practices, including violence...

... The Committee is concerned that ... women remain underrepresented in public life and in the higher levels of the public service, and are subjected to personal laws which are based on religious norms and which do not accord equality in respect of marriage, divorce and inheritance rights. The Committee points out that the enforcement of personal laws based on religion violates the right of women to equality before the law and non-discrimination.

It therefore recommends that efforts be strengthened towards the enjoyment of their rights by women without discrimination and that personal laws be enacted which are fully compatible with the Covenant.

... The Committee recommends that the application of these emergency powers be closely monitored so as to ensure its strict compliance with the provisions of the Covenant. The Committee ... recommends that the State party abolish by law the imposition of the death penalty on minors and reduce the number of offences carrying the death penalty to the most serious crimes, with a view to its ultimate abolition.

The Committee ... recommends that measures be taken to reduce overcrowding, to release those who cannot be given speedy trial, and to upgrade prison facilities... The Committee recommends that attention be given to the UN Standard Minimum Rules for the Treatment of Prisoners... The Committee ... recommends that a thorough study be urgently undertaken to identify the extent of bonded labour and that more effective

measures be taken to eradicate this practice, in accordance with the Bonded Labour System (Abolition) Act of 1976 and article 8 of the Covenant. The Committee expresses concern at reports of forcible repatriation of asylum seekers, including those from Myanmar (Chins), the Chittagong Hills and the Chakmas.

It recommends that, in the process of repatriation of asylum seekers or refugees, due attention be paid to the provisions of the Covenant and other applicable international norms.

The Committee deplores the high incidence of child prostitution and traffickings of women and girls into forced prostitution, and it regrets the lack of effective measures to prevent such practices and to protect and rehabilitate the victims. The Committee also regrets that women who have been forced into prostitution are criminalized by the Immoral Trafficking Prevention Act, and further that article 20 of the Act puts the burden of proof on a woman to prove that she is not a prostitute, which is incompatible with the presumption of innocence.

The Committee recommends that the application of this law to women in the situation described be repealed and that measures be taken to protect and rehabilitate women and children whose rights have been violated in this way.

The Committee further regrets the lack of national legislation to outlaw the practice of Devadasi, and that it is left to the states. It appears that the practice continues and that not all states have effective legislation against it. The Committee emphasizes that this practice is

incompatible with the Covenant.

It therefore recommends that all necessary measures be taken urgently to indicate it.

The Committee expresses its concern at the plight of street children and at the reported high level of violence against children within society. It is particularly concerned at reports of child mutilation.

The Committee recommends that urgent measures be taken to address this problem and that specific mechanisms be set up for the protection of children.

The Committee expresses concern that, despite actions taken by the State party, there has been little progress in implementing the Child Labour (Prohibition and Regulation) Act of 1986.

In this respect, the Committee recommends that urgent steps be taken to remove all children from hazardous occupations, that immediate steps be taken to implement the recommendation of the National Human Rights Commission to respect the constitutional requirement to make it a fundamental right for all children under 14 to have free and compulsory education, and that efforts be strengthened to eliminate child labour in both the industrial and rural sectors. The Committee also recommends that consideration be given to establishing an independent mechanism with effective national powers to monitor and enforce the implementation of laws for the eradication of child labour and bonded labour.

*With Best Compliments
from*

Associate Lumbers Limited

TIMBER MERCHANTS, IMPORTERS AND EXPORTERS
India's First and Largest Group of Timber Importers

**Regd. Office: "ASSOCIATE HOUSE", 85-A, Victoria Road,
Mustafa Bazar, Mumbai - 400 010**

Tel. : 3717777/3726438/3728821

Fax : (91-22)3738787

TLX : 011-75368 JWAR IN, 11-75230 FSD IN

Branch Offices in Delhi, Kandla and Mangalore

John Dayal on Christians as the Next Target of Hindutva

Over the next decade or so, Hindu-Christian discord could become as vexatious as Hindu-Muslim troubles, says A. Mahesh in perceptive analysis ... for the Internet... (Ha!) the howling mobs who set buses on fire and raze mosques to the ground following exhortations by their leaders (read it) in mofussil newspapers of Uttar Pradesh and Rajasthan, or southern Tamil Nadu or northern Karnataka... They would have been able to explain away their blood-letting, their many attacks on Catholic priests, rapes of nuns and usurping of Church property and their continuing poisonous diatribe against India's most peaceful minority as a civilisational assertion, "a newly emergent socio-economic Indian demanding to see its own face established as the dominant visage of our nation."

in the midst of the turmoil over the late lamented Babari Masjid in the early nineties, when the apparent political violence was against the Muslim community and culture, sociologists and students of tectonic movements in Indian politics had first cautioned that the Hindutva forces had imperceptibly shifted focus, and had begun the targeting of Christianity in India as a major foe.

The initial incidence of the anti-Christian thesis was perhaps not as blatant as the anti-Muslim stance of the state and the people. The sheer numerical strength of the Muslim community in the region, and the memories of partition, made it inevitable. No one, including the Muslims, were surprised that there was an increasingly militant Hindu reaction against the change in the landscape brought about in the wake of the inflow of remittances from the Gulf... A backlash was expected against the confident stridency of the Muslim politicians, and the assertion of the middle class and the intelligentsia for its place in the secular Indian sun.

The leaders of the Hindutva movement, the range extending from the matted locks of the obese swamis of the Vishwa Hindu Parishad and the lumpen thugs of the Bajrang Dal and the Shiv Sena on the one hand to sophisticated mass leaders such as Advani and the 'soft and liberal' Vajpayee on the other, were united in their belief that the destruction of the Babari Masjid, the riots and the violence, was a market correction. "Perhaps today's Hindu India is merely extracting the price for the insults it has suffered in the past at the hands of other faiths," says Mahesh.

Hindu India's interaction with Christianity has been three times as old, historically, as its contact with Islam has been. The (roots) of this interaction go deeper, and the fruit of its cultural intercourse is more multifarious. The full wrath of its reaction, when it comes, will be correspondingly harsher - on that there is no doubt in the minds of any serious and sensitive student of contemporary India.

Tragedy lurks in the inability of many in Indian Christianity to see the writing on the wall, as much out of political naivete as for cupidity and a short-term self interest. How else can one explain an unreasoned fascination in sections of the hierarchy, Catholic and Protestant, for the BJP, the political front of Hindutva and for some of its other organs. There are any number of priests and bishops who see Advani as a polite person, and Vajpayee as a softspoken elder statesman and are lulled into the belief that he will be able to induce moral decency in the fanatical hordes. Or the many in the Laity, among the professionals, who compromise themselves with the Shiv Sena in the hope of picking up political crumbs, of political office perhaps, or of becoming the token Christian in the socio-political establishment.

At its most benign, compromise has bred complacency. At its debilitating worst, it lulls the masses into a comatose bliss so they are no longer able to respond successfully when the Sangh Parivar - and its occasional allies in the Congress and the Janata Dal - bare their fangs. As they did in Dumka, or Nainital, Pondicherry, Ghaziabad and Faridabad. Or as they have done, with greater finesse, in shooting down legislation to restore the human rights of Dalit Christians.

The Sangh Parivar sees the danger that Christianity poses to its own dreams of Asiatic - and ultimately global - domination in the next century. Hindu economists and politicians have taken seriously the American thesis that the twenty-first century will belong to Asia, particularly to India, and will see it as a major military and industrial power. This is an opportunity that has not come since the beginning of recorded history, despite the diaspora to the Far East, to Khamboj and Bali, and willy-nilly to the West Indies in the last century, and to England in this. One may laugh when the Organiser and the Panchajanya, mouthpieces of the Parivar, exult in the naming of a Jamaica-Ganga in the West Indies, and celebrate the fact that Charles of England has visited several temples in the United Kingdom. One may point out that they contradict themselves when they rave about Hindu converts made by the Hare Krishna Movement while objecting to missionaries in India, or are proud of the Angkor Wat temples while seeking to erase mosques from Indian soil.

The fact remains that for the Parivar, Christianity with its emancipating and empowering potential remains a major barrier to the success of its game plan for (Hindu) domination, of coercing into its brand of a crushing Hindutva the Dalits and the Indigenous people, the tribals and the nomads. "We will see movements that espouse the strengthening of Indian languages (Hindi, for the most), Indian dress, Indian culture on television, the abolition of the right to proselytise, a Uniform Civil Code

(Contd. on Page 569)

RSS: Mission of Hindu Unity and Internal Harmony

... One of the important truths about the RSS ... is its silent but steadfast endeavor to unite the Hindu society on the basis of the harmony principle. Barring the noble and notable contribution by some mathadhipatis, whose coordinated activism itself was largely initiated by the Sangh Parivar, there is ... no other socio-cultural organization which has been working with so much dedication and determination as the RSS to re-forge the weakened bonds of equality and fraternity in the caste-ridden Hindu society ... since its inception in 1925

... (Balasaheb Deoras) correctly diagnosed that the chief source of the weakness in Hindu society was internal - its hierarchical caste system and the injustice it heaped on those who were unfortunate to have been born into the so-called lower castes. He did not care much for ritualistic Hinduism. Whereas his predecessor M.S. Golwalkar was an intensely spiritual person, Deoras (was) a Karma yogi, with emphasis on action, service-oriented action.

Deoras realized that the ... Hindu society was losing its vitality and creative energy due to caste divisions, the occasional flare up of these divisions into violent conflict, and the blatant exploitation of these divisions by politicians for their narrow electoral gains. Minakshipuram and the steady, albeit unpublished, demographic hemorrhage of the Hindu society caused by fraudulent proselytisation in different parts of the country illustrated the other face of the dangers inherent in the neglect of the Dalits and poor in general...

There was ... yet another historical context which led Deoras to realize the paramountcy of social reform. The decades of the 1970s and the 1980s witnessed unprecedented levels of political activism by Dalits and backward castes, occasionally ... manifested in ... mindless militancy. Surfacing sometimes as an independent political stream, but oftener being co-opted by the Congress and other parties, the ... Dalit and backward caste movement had nonetheless one common source of inspiration B.R. Ambedkar. The question before the RSS was: "How do we assess the personality and legacy of Ambedkar?" It was by no means an easy question. Ambedkar had, in the evening of his life, left the Hindu fold to embrace Buddhism...

The raucous and factious band of Ambedkarites, while having none of the intellectualism of Ambedkar, were, however, unanimous in badmouthing the Hindu culture, society and the RSS.

... Countless social reformers from within the Hindu fold itself had condemned caste discrimination... Ambedkar himself had a far from antagonistic relationship with Hindu nationalists of his time, such as Veer Savarkar. To cap it all, (his) reason for embracing

Buddhism (showed) his innate commitment to India's cultural nationalism. Thus, under the leadership of Deoras, contemporary Hindu movement began a serious and honest re-appraisal of Ambedkar. The process has progressed so far that, today, the RSS considers the great champion of social justice to be pratah smaraneeya (worthy of being reverentially remembered every morning).

... The RSS started in 1983 a new affiliated organisation, Samajik Samarasata Manch, solely devoted to the cause of creating social harmony between various castes and sub-castes in Hindu society ... through a combination of samata (equality) and manata (kindness of heart)... The RSS movement for samarasata (thus) carries a distinct imprint of Gandhiji's Perspective on social reform...

Undoubtedly, the Hindus have a long way to go before the ideals of equality, fraternity and harmony are fully reflected in their decidedly multi-cultural, multi-caste existence. But if, at long last, this maddeningly plural Hindu society is beginning to experience some kind of confident self-identity - an identity which, even while respecting Hinduism's rich diversity, proudly upholds its underlying unity - then a good part of the credit must go to ... the RSS.

(Source: Sudheendra Kulkarni in *The Pioneer*, 19 August, 1997)

(Contd. from Page 568)

and many more," says Mahesh in his prophetic piece. Behind the O.P. Tyagi Bill of 1977 seeking a ban on conversions, behind the murder of Rani Maria who had given voice to the tribals in Madhya Pradesh or the rape of nuns in Uttar Pradesh as punishment for ... emancipation of the girl child of western UP, the axing of priests in Bihar and the ... ceiling in many jobs in the government and corporate sector (lies) an element of fear.

During the ... movement for the rights of the Dalits, many politicians admitted that the only reason they opposed the Bill was that it could precipitate a mass exodus of India's most deprived classes to Christianity and Islam. For the forces of Hindutva, everything is fair in the battle to keep the stable doors locked.

... Christianity's relevance as an instrument of development has declined despite its catalytic role. Its role in the life of the common man is on the decline. Its relevance in political and public life is near zero, barring the demographic islands of Kerala, and the tribal belt. The community itself is fragmented, disillusioned, with morale at a nadir. It is a moot question if the leadership, religious and lay, is alive to the crisis, and geared to take remedial action as the Sangh Parivar unfolds the second phase of its conspiracy...

(Source: *The Indian Currents*)

Sudesh K. Verma on Sangh Parivar Move to Plant its Men in the Media

The "Sangh Parivar" has concluded that it must have its own men in the media to highlight issues facing the Hindu community, particularly when other communities take an anti-Hindu stance.

The RSS feels that there is a predominance of the Left ideology in the print media, and the only way to end this is to ensure that more RSS-minded people enter the profession.

In most conflict situations with strong local ramifications, the "anti-Hindu" viewpoint is often put across more forcefully, because of the dominance of leftists in the print media, an RSS pracharak said.

To consider these aspects, the RSS had a three-day national level meeting of its pradesh media and publicity incharges from June 28. The meeting was chaired by the RSS all India publicity incharge, Srikant Joshi.

The meeting concluded that the RSS must work actively to push its own men in the media, besides trying to convert journalists into RSS sympathisers if they have not been blindly opposing the organisation's philosophy, a RSS pracharak said.

The RSS has already identified and prepared a list of journalists who are ... Communists. It is also in the process of identifying those journalist who they feel are aligned too closely with the Janata Dal, the Samajwadi Party and the Congress.

The RSS pracharaks and organisational heads would be given special instructions not to open up before these journalists. In the RSS' view these journalists distort information and present a misleading picture, he said.

The meeting also decided to create a group of professional letter writers in every district. They would be writing "letters to the editor" on local issues as decided by the local RSS units...

The Vishwa Hindu Parishad (VHP), an affiliate of the RSS, has already started working on this. It has organised a five-day camp for training young journalists where they would be taught the art of highlighting the cause of the majority community. It had organised a similar camp last year also...

This year's training camp was inaugurated by VHP general secretary, Giriraj Kishore, at Gurgaon. VHP joint general secretary Onkar Bhawe is the camp's in-charge. VHP president Vishnu Hari Dalmia is slated to deliver the valedictory address.

Prominent media personalities, particularly from the vernacular press, are likely to address the trainees. The journalists will be addressing 30 participants who have come from Bihar, Uttar Pradesh, Rajasthan, Maharashtra, Madhya Pradesh, Haryana and Himachal Pradesh.

Some of the participants are junior journalists associated with various local newspapers and magazines.

Most, however, are young graduates interested in making a career in journalism. All of them, however,

G.S. Bhargava

On Mass Media and Communalism

In recent article ... celebrated columnist Praful Bidwai concluded that one of the saddest changes in the Indian media in the last fifty years is "its opening up to communal influences as never before"... He is absolutely right in saying that in the wake of the partition disturbances and the assassination of Mahatma Gandhi, the forerunners of later-day Hindutva, including the RSS, were in the doghouse in the perspective of mainstream journalism.... The media support for the RSS was negligible, if at all.

The demolition of the Babari Masjid in December 1992 was another watershed. The BJP which had in the earlier tow decades emerged as a cohesive political force with a fairly large spread in several parts of the country suffered an eclipse in acceptability, especially among those whom Praful contemptuously calls 'the elite'. This was reflected in the changed attitude of the media to the party and its accomplices in the outrage.

The reference is not merely to the almost universal condemnation of the vandalism in the opinion columns of newspapers and magazines but also to the attitudes of individual journalists...

... Mixing up the two events and telescoping the time gap between them, Praful propounds the theory of decline in the secular character of the print medium in the last fifty years.

He builds his case on facile premises like deferential references to Atalji and Advani in the newspapers and the publicity accorded to their pronouncements, even if they are 'inane or repetitive'...

... No professional journalist will bring value judgement to bear on his or her reporting of pronouncements of leaders.

... In a temple in Dadar (Mumbai) ... a book entitled Gandhi, the Murderer of Gandhi was released on August 15, with Gopal Godse and Madanlal Pahwa - the accused in the murder conspiracy - among the participants. The theme of the litany was naturally denunciation of Gandhi and praise of ... Godse, whose framed photograph was garlanded. The reporters who covered the event refused to take even a glass of water from the hosts, although they did their professional duty of reporting it. It was also good that the abomination had been noted, for otherwise we would not have known it existed.

(Source: The Indian Currents)

have either the RSS background or are sympathisers of the RSS.

They would be trained in the art of writing a good report and "letters to the editor"...

(Source: The Business Standard, 5 July 1997)

Ajay Kashyap on Jama Masjid, Delhi

The Jama Masjid is one of the most magnificent monument of Delhi ... continues to draw admiration for its clean lines, symmetry and sheer size...

Construction of the Jama Masjid started in 1650 and ended after six years - an astonishing feat when compared to the efforts of today's monolithic development agencies with all their modern equipment and techniques.

Six thousand men worked to put together this architectural delight. ... At a daily wage of two paise ... labour cost Rs 10 lakh... Four types of stone was used - hard marble imported from Persia, soft marble, black marble and redstone brought from Rajasthan.

The white marble pillars of the mosque are made from single blocks of stone...

The structure of the Jama Masjid is in itself an architectural masterpiece. Its major featured include three round domes (gumbaj) flanked by a minar on either side, a huge courtyard, a central pond and three magnificent gates.

The three domes magnify the sound of the Imam (without any echo) while praying. The main dome has a diameter of 40 feet while the other two are 30 feet each. The imam's position is in the center of the central dome, at the head of the congregation. The walls of the mosque have carved inscriptions in Kufi from the Holy Book. From the ceiling of this dome hangs a chandelier with solid gold buffs - gifted by kind Faisal Saudi Arabia on his visit to the Masjid.

Two minars, each 170 feet high, tower above the Masjid... Namazis gathered in the central courtyard and covered corridors which run along the courtyard. The northern flank was reserved for women and the elevated balcony for the sole use of women from the royal household. An underground tunnel connecting the Red Fort with the Jama Masjid was constructed to enable women from the royal family to reach the Masjid in purdah. A marble staircase at the end of the tunnel took them to their reserved balcony on the elevated level.

The Jama Masjid has three gates. To the east is the Shahi or royal gate... This gate is larger than the other two and boasts of the original wooden door... The other two gates ... are equally imposing. Today the Shahi gate is opened only for Friday prayers and major congregations.

The huge enclosed courtyard can accommodate over 25,000 Namazis making the Jama Masjid one of the largest mosques in the country.

Three white marble pedestals are placed in the mosque - one below the dome and the other two at equal distances down the courtyard. These were originally meant for relaying the utterances of the Imam...

In the centre of the courtyard is a small manmade pond for performing wuzu before prayers. The facility has now been augmented by running water alongside the wall...

... Four white marble pillars were later erected in the four corners of the pond by Lord Curzon. Also located in the courtyard is a sundial (the angle is now broken) and a world map, both of which are engraved ... white marble...

A covered corridor with arches and pillars runs all along the interior of the courtyard. There are five arches on the north side of the domes each signifying a principle of Islam - kalma, namaz, zakat, roza and Haj. The five arches on the southern side signify the (5 daily prayers).

However, the most intriguing attraction of the Jama Masjid are the holy relics (which) can be viewed on special request which is liberally acceded to. There are two chapters (Paras) of the Holy Book written in Kufi on deerskin. The authorship of one of these is attributed to the grandson of the Prophet while the other is written by his son.

The second relic is a footprint (of the Holy Prophet) engraved on a piece of stone... The stone was broken in half but has been rejoined.

The third relic is a single strand of golden hair said to be from the Prophet's beard - one of the only three strands existing today (The other two are in Hazratbal in Kashmir and Istanbul, Turkey)

The fourth relic is the Prophet's camelskin sandal. These relics were reported to have been brought to India by Taimur the lame, and were ... moved to the Masjid during Shah Jahan.

(Source: The Times of India, 28 September, 1997)

IMPORTANT ANNOUNCEMENT

URDU AND HINDI EDITIONS OF MUSLIM INDIA

Being launched in **JANUARY, 1998 from Patna**
For Annual/Life Subscription, please contact:

Mr. Reyaz Azimabadi
Managing Editor,
Muslim India (Urdu & Hindi)
Kamal Building, Upper Floor,
Exhibition Road,
PATNA - 800 001 (BIHAR)
Tel: (O) 659812, (R) 657781

Subscriptions:
Annual Rs. 120/-
Life Rs. 1500/-

Balraj Puri on Indo-Pakistan Relations

... Today, whatever be the degree of alienation of the Muslims of the Valley with India, their rejection of Pakistan is categorical since it rules out the third option of Azadi to them. Basically, it is an ethnic and not a Muslim upsurge, confined to less than half the population of the state which, too, does not favour joining Pakistan. If ethnic unrest in the Pok (or Azad Kashmir) is also taken into account, Pakistan's capacity to satisfy the aspirations of the whole of multi-ethnic and multi-religious state of J&K will be further exposed. India should have tried to shift the onus of ending prolonged violence and enormous suffering of the people of the state and offering possible solutions acceptable to them on Pakistan. However for this task, scope for track two diplomacy should be fully utilised. India could legitimately demand free contacts between its mission in Islamabad and leaders of Pak-held Kashmir as part of the state as there exist between Pak mission in New Delhi and dissident leaders of India-held part of the state.

The Kashmir dispute is unlikely to be resolved by foreign policy initiatives alone. But they may help in restoring India's international credibility and have a salutary effect on the minds of people in the Valley. The media should be used more to inform the people of Pakistan than to provoke them on Kashmir and other disputed issues.

India should acquire and train expertise in Confidence Building Measures (CBMs) which have been tried in conflict resolution in many parts of the world in the last few decades and which Micheal Krepon calls the growth industry of the 1990s. (A Handbook of Confidence Building Measures for Regional Security, 1993). CBMs can be tacit and informal, formal but private. The first stage is conflict avoidance - to avoid unintended escalation and accidental war.

Such CBMs exist between India and Pakistan like the establishment of hotlines between army chiefs and between sector commanders of the two armies along line of actual control in J&k state and an agreement in 1992 to provide prior notification to the other side of military exercises involving more than 10,000 troops and the establishment of no-fly zones along their borders. But to move from conflict avoidance to confidence building would depend on demands of national interest and response of Pakistan. It is not a question of a hawkish or dovish policy towards Pakistan. If reduction of tension and restoration of normal relations with it is in the enlightened national interest, Indian should take initiatives, even unilateral, towards that end. ...

Maybe Pakistan suffers more in the long run on

account of tension with India; though the proxy war in Kashmir is at the moment costlier for India. However dividends of peace could be much higher for India. Its international status depends on its status in the region. If its neighbors become friendlier, the region's role in world affairs and of India, as its natural leader, could rise in importance which its rich civilisation deserves. The compromises that a great country like Indian makes in the foreign and economic policies, in its obsessive concern with scoring points over Pakistan, have lowered the stature it had once acquired. Militarisation in terms of weapons would inevitably swell the number of the poor in the country, who are already largest in the world and according to UN index of quality of life its international rank is 135. By making its people poorer, security of a nation does not become stronger. Moreover stockpiling of weapons also leads to militarisation of minds which poses a threat to the most civil and democratic society of the region.

... More knowledgeable persons are aware of the resurgence of ethnic identities, growing assertion of liberal intelligentsia, and movements for human rights, women empowerment and trade unions in Pakistan. They get a setback whenever chauvinist forces in India become more aggressive. Their closer and more frequent interaction with their counterparts in India, who still comprise its mainstream, would strengthen both of them. In general larger people to people contacts would demolish many walls of ignorance and prejudice. In this content the unilateral decision of the then external affairs minister Gujral to expand visa facilities was an act of bold statesmanship and in the best national interest. The victory of Nawaz Sharif's party in the last election in Pakistan on the promise of normalisation of relations with India is the most promising development in the subcontinent.

There are a few more hopeful pointers in the situation. Self-interest of businessmen is forcing the two countries to liberalise mutual trade. The volume of trade between the two countries - through third countries, illegal channels and smuggling - is manifold more than the official figures. The measures announced by the two countries after the UF government took over in India to remove restrictions on trade have unfolded many potentialities not only for the growth of their economies but also for its positive political fallout. For business and trade do not respect political animosities and prejudices.

Similarly, revolutionary changes in communication technology have opened up skies and removed national and geographical barriers for exchange of information,

TV news and other programmes, films and music. A South Asian cultural personality is emerging which may check trend towards competitive and negative nationalism. In any case, whatever degree of rivalry remains, which often does among close neighbours, it could be carried on in more sophisticated manner which requires better diplomatic skills...

In post-Nehru era, gradually India's foreign policy was mortgaged to an anti-Pak objective. A process started to abdicate its global role and make it subordinate to this objective. A stage came when Pakistan led the non-aligned block of which earlier it would not become even a member - on an issue like Bosnia on a resolution in UN which had tacit American sympathy. In a country where, according to Atal Bihari Vajpayee (in his address to parliament as prime minister) majority community has developed a minority complex, where some national parties have contributed to creating a siege mentality and sense of insecurity in the country despite having become much stronger militarily and industrially since Nehru days, where physical force is considered as the only remedy to deal with alienated parts like Kashmir, where concept of nationalism is trying to exclude all those who do not believe in Hindutva version of Hinduism and whose leadership has neither a vision nor an ambition of a world role, a ... foreign office has little options except to aspire for a status of parity with Pakistan.

(Source: The Economic and Political Weekly, 2 August, 1997)

CWC: Resolution on Indo-Pakistan Relations, 27 September, 1997

The recent developments in Indo-Pak relations is a matter of concern. Congress welcomed the initiative taken by the UF Government to resume dialogue with Pakistan with the hope that our Government representatives would be able to focus on the real issues disturbing the sub-continent. Pakistan's buying spree of sophisticated weapons from almost every part of the world may trigger off an unintended arms race in the sub-continent. Intensification of ISI activities in Indian particularly in N.E. region is alarming. This meeting of the CWC hope that Prime Minister had conveyed our concerns in these areas to his Pakistani counterpart during his last round of talks with him at New York.

The Muslim Festivals Withdrawn

The Muslim Festivals by Fayth Wenishester published by Capiston Publishing House, was withdrawn from market (on protest) by the Council for American Islamic Relations (CAIR) representing the Muslim community in the US. The book meant for 9th grade students includes insulting remarks about Islam and a full-page offensive drawing.

Mani Shankar Aiyar On Indo-Pakistan Dialogue

... By November, when the foreign secretaries are next scheduled to meet, we would have wasted six months just trying to settle what we should talk about and how. What is worse, the mechanism for negotiations now being put in place is pitted with the infirmities that have in the past structurally derailed the dialogue. The "working groups" technique fractionates the dialogue. Each working group will have different sets of interlocutors; all trade-offs will be intra-sectoral, leaving little scope for the inter-sectoral trade-offs which alone can bring success. The India-Pakistan dialogue can reach a conclusion only if it is holistic - if every facet of the relationship is discussed between the same set of interlocutors. Their advisers may change depending upon the subject under consideration. But if the dialogue itself is departmentally segregated, departmental priorities in both governments would make any broader progress virtually unachievable.

... The foreign secretaries have not even begun discussing the key questions of periodicity and venue for the conduct of the substantive dialogue...

The crux of the matter is to ensure that the substantive dialogue is insulated from passing passions, that it remains uninterrupted and unintermittible...

(Source: The India Today, 6 October, 1997)

Shahabuddin's Reply to

Mani Shankar Aiyar, 20 October, 1997

I think neither India nor Pakistan are ready yet for a substantive dialogue on the core issue, which is the Kashmir dispute. Sharif cannot make any visible headway on any other front and Gujral cannot make any concession on Kashmir beyond reiterating a la Swaran Singh our known stand. I am certain that both India and Pakistan are losing with every passing day. Why can't we tote up the cost of confrontation.

Let India and Pakistan agree to decide Jammu & Kashmir on the same basis as Punjab and Bengal which would have been the case had J&K been a province of British India and not a princely State. However, a view of Kashmiri self-consciousness, let the Kashmiri speaking Valley (7% of the total J&K) have the status of a neutralised sub-sovereign State, with internal independence under the joint protection of India and Pakistan which should together guarantee its defence, manage its external relations and make up its financial deficit.

Moving in the old grooves - slow or fast - will not produce any movement. Only political will based on a rational view of national self-interest will.

Turkish Academician Turkkaya Ataov On the Mohajir Situation in Pakistan

I was one of the few international observers at the national elections in Pakistan (February 3, 1997) representing the Vienna-based and UN-affiliated International Progress Organisation (IPO), together with Professor Hans Koechler... We found a persistent pattern of infringement of the rights of one of the contending parties, the MQM.

We could not enter, even with international observer credentials, certain sections in Karachi described as "No-Go-Areas" for the MQM. I was a target of initially eggs, potatoes, tomatoes, bricks and finally gunfire at Landhi No. 4 area while accompanying an MQM motorcade headed by the veteran senator, Ishtiaq Azhar, a day before the balloting. The so-called "Haqiqi" men opened fire on the caravan to terrorise the participants. While some MQM members and a BCC correspondent sustained injuries, the vehicles were partly smashed and firing created panic in the locality. There were indications that the attackers had police backing. Since there was no access to every area for independent observers like us, we wondered how the MQM voters could go there.

The other observer groups having been stationed primarily in Islamabad, and close to the official circles, mainly complaints had to be addressed to us, our time spent in Karachi, where irregularities, even violent interference in the electoral procedures, were expected. We visited many polling stations. There was delayed voting in various areas, for instance, at Station No. 110 where none could pluck up courage to vote till afternoon. Some electoral lists were changed without explanation, and groups of people from Malir told us that they were denied the right to vote. In Station No. 95 at Korangi, a member of the rival faction, armed with a pistol, was stamping votes. Two MQM members were murdered. We saw the cadaver of MQM's Mohammed Hanif, a polling agent who was abducted, and talked to the medico-legal officers at the Abbasi Shaheed Hospital. The security forces who were present in and around the polling station could not prevent Hanif's abduction.

... We prepared a detailed report on all evidence related to the infringement of basic human rights in the course of the electoral process to the (next) session of the UN Commission on Human Rights held in March, 97 in Geneva.

We observe now that the MQM had entered into coalition with the Muslim League in Sindh's provincial government, and that in spite of the MQM being the largest party in that coalition, it has been refused both the Chief Ministership and the Governorship. There are many MQM workers still in prison, and no compensation had been paid to those who suffered under the previous administration.

The Mohajirs, or the refugees from India, were about five million in 1947. Two generations having passed

since then, they are now around 22 million with no provincial base like the Baluchis, Pathans, Punjabis or Sindhis, they are generally acknowledged as more Pakistani than any other people. But they are discriminated against in education, employment and in the political process. The other four main ethnic and cultural groups consider themselves as the "sons of the soil", and the Mohajirs as "aliens"...

The Mohajirs in Pakistan and the Muslims in India, although their situations are dissimilar, are both "sons of the soil" as much as the other groups. The love of both for their countries should be accepted as deep as that of the (other Pakistani) peoples and the Hindus, respectively. The solution lies in adjustment. A society that tries to neutralise or expel communities different from the mainstream destroys its own vitality. Maulana Azad of India had warned the would be Mohajirs on the eve of their departure that regional forces would not allow them to integrate with the local population.

Just as the opponents of the Mohajirs should give up the path of confrontation with them, the Muslims of India should also take up the path of conciliation. The enmity towards the Mohajirs and the Hindu-Muslim conflict, with fanatics running amuck, have done a great deal of harm to Pakistan and India...

(Source: *The Mainstream*, 9 August, 1997)

(Contd. from Page 576)

***Sikhs demand exemption of Sikh women from wearing helmets.** ***Catholic priest Thomas beheaded in Bihar (28 Oct).**

***Bihar Government agrees to CBI inquiry in case of Catholic priest Chintadas; bail granted (12 Nov).**

***Pan-Hinduism:** ***VHP's Virat Hindu Sammelan inaugurated in Haridwar by King of Nepal, hailed as 'King of all Hindus of the world'. MP CM Digvijay Singh attends; apart from Shankaracharyas and VHP leaders (20 Oct).** **Shahabuddin objects to foreign sovereign's presence (31 Oct).**

***Indo-Pakistan Relations:** ***Indian Government preparing dossier on Pakistan's involvement in international terrorism.**

***Minorities in Other States:** ***US appoints a special Coordinator for Tibetan Issues (1 Nov).**

***Pakistan:** **Former CEC advises abolition of separate electorate for religious minorities (12 Nov).**

***Russia:** **Christians protest against film 'The Last Temptation of Christ' (11 Nov).**

***Muslim World:** ***Afghanistan:** **USA accuses Pakistan and Saudi Arabia of prolonging civil war (24 Oct).**

***Pakistan:** **Ex-P.M. Benazir Bhutto accused of transferring money from Swiss accounts before sealing (24 Oct).** **SC suspends anti-defection law (29 Oct).**

***Chechnya:** **Declared Islamic Republic (6 Nov).**

***Libya:** **UN Security Council renews sanctions (8 Nov).**

***Commemoration:** ***Mysore University to establish chair for research on Tipu Sultan (11 Nov).** ***Urs of Khwaja Moinuddin Chishti begins in Ajmer Sharif (1 Nov).**

***Obituary:** ***Senior Muslim Leader Muzaffar Hussain Kachhochhvi, ex-MP, 80, passes away in Lucknow (11 Nov).** **Mourning by many Muslim leaders and organisations.**

Chronology of the Month

16 October - 15 November, 1997

NATIONAL ISSUES

Congress-United Front: *Kesri reiterates continuance of support to UF (19 Oct). Congress, though unhappy with non-imposition of President's rule in UP, reassures P.M. Gujral (23 Oct). Rules out mid-term poll and reassures support (7 Nov).

*Kesri foresees national secular alliance against BJP (25 Oct). Kesri launches campaign against BJP and targets BJP-RSS combine as power hungry and unprincipled, in public meetings in Sonapat (26 Oct), Bangalore (7 Nov), Calcutta (12 Nov). Kesri hints at Congress joining UF if invited (5 Nov) but backs out because neither other Congress leaders nor UF welcome idea (6 Nov).

Congress: *Disturbed by mass defection of legislators in UP, finalises plan to flex muscles and boost sagging morale of its MP's by joining UF government after forcing ouster of DMK on basis of Jain Commission's leaked interim report indicting, inter alia, pro-LTTE role of DMK leader Karunanidhi and his government. Kesri warns UF government of "serious implications", of withdrawal of support, if report not tabled on first day of Winter Session of Parliament with ATM (12 Nov). Confers with Sonia Gandhi. Congress WC formally demands ouster of DMK (14 Nov). Gujral offers to resign rather than expel DMK (14 Nov).

UP Developments: *BSP-BJP relations deteriorate on reversal by CM Kalyan Singh of various actions taken by ex-CM Mayawati. BSP Ministers shun cabinet meeting (18 Oct). BSP formally withdraws support. Congress and UF demand dismissal but Governor Bhandari asks Kalyan Singh to prove majority in Assembly on 21 Oct (19 Oct). Many Congress and BSP MLA's defect (20 Oct). Despite floor violence, Kalyan Singh wins majority vote with cross voting by 22 Congress and 12 BSP MLAs. Bhandari advises dissolution; Central Government advises President (21 Oct). President Narayanan asks Cabinet to reconsider. Central Government backtracks (22 Nov). *UP Speaker ignores defection though BSP presses for disqualification. L.S. Speaker Sangma supports criminal action against MLAs for violence on the floor and asks UP speaker to act in accordance with law (29 Oct). *93-member Ministry including all defectors, sworn in (27 Oct). UF and Congress both condemn BJP for engineering and rewarding mass defection (28 Oct). Vajpayee defends defection as 'political compulsion'.

Gujarat Situation: *Congress withdraws support from Vaghela Government (20 Oct) but supports Government led by successor Dilip Parikh who wins vote of confidence (13 Nov).

Congress(I): *Congress(I) organises Mushaira in honour of Bahadur Shah Zafar and lauds Muslim role in freedom movement (24 Oct).

UF: *CPI Minister Chaturanan Mishra offers to quit but relents after PM's clarification (17 Oct). *W.B. CM Basu criticises Gujral and Chidambaram for UF Government's failures; rules out sharing power with Congress (8 Nov).

BJP: *National leadership acts to re-enact UP drama at Centre. Advani calls it "exercise in realpoliti", sees UF in crisis and opportunity to reinstall BJP led or supported government. Sounds Narasimha Rao who declines (5 Nov).

*Advani-Vajpayee tussle for ultimate leadership continues, G.S. Govindacharya censured for remarks against Vajpayee.

JD: *Sharad Yadav rules out merger with Laloo Pd. Yadav's RJD (14 Nov). Both sides in Bihar claim support of rank and file and of other's MLAs.

Samata Party: *Expels G.S. Anand Mohan (23 Oct). At rally

in Patna reiterates alliance with BJP (25 Oct).

BSP: *Facing defection, Mayawati hints at reconciliation with Congress and SP (23 Oct). Kanshi Ram tests water in Bihar, meets Laloo; rejects RJD as ally (25 Oct). Mayawati considers pact with SP and Congress likely (28 Oct). Ram denounces BJP as "epitome of corruption".

SP: *Mulayam Singh decides to woo Sadhus and Sants to counter BJP (17 Oct). Addresses Kshatriya Maha Sammelan and demands repeal of Atrocities Act (1981). Hints at secular alliance, inclusive of BSP and Congress, to defeat BJP (19 Oct) but G.S. Amar Singh rules out tie-up with BSP (26 Oct). *Holds protest demonstration in Lucknow, Bombay and other places against TADA; 74 workers injured in Lucknow clash with police (10 Nov).

BKKP: *President Ajit Singh stresses unity of all JD splinters; sees Laloo (29 Oct).

Reservation: *Mulayam Singh demands 10% reservation in education for high castes (19 Oct). *Seminar in New Delhi wants reservation to continue, with other deprived groups covered and contradictions and flaws removed. Jethmalani, Shahabuddin, Barnala and Sathe participate (19 Oct). *Paswan takes up with P.M. withdrawal of orders relating to relaxation of standard for promotion under reservation for SC/ST (5 Nov).

Scams: Bihar - A.H. Scam: *Bihar Governor Kidwai delays authorisation to prosecute Laloo Yadav in second case beyond 90 days. BJP sees nexus between Gujral, Kidwai and Kesri (27 Oct). CBI files chargesheet without authorisation (28 Oct). S.C. sets aside Patna H.C.'s order against CBI Director for initiating disciplinary action against Addl. Director Biswas (6 Nov). CBI Court rejects Laloo's bail petition (12 Nov). Declares Sajal Chakravarty, IAS, absconder (13 Nov).

Assam - LOC Scam: *CBI completes investigation in LOC case, finds prima facie case against C.M. Mahanta (3 Nov). H.C. directs CBI to submit final report by 8 Dec (10 Nov).

Union Govt. - Housing Scam: *Government asks to President to authorise prosecution of ex-Ministers Sheila Kaul and P.K. Thungon (17 Oct).

JMM Case: *Petition to prosecute Kesri filed (5 Nov).

Bofors Case: *Law Ministry recommends prosecution of ex-Defence Secretary Bhatnagar (24 Oct). *Congress reportedly perturbed by imminent arrival of final documents from Switzerland.

Hawala: *H.C. admits CBI appeal against withdrawal of case against several accused. Issues notice (21 Oct). Case deferred, pending S.C.'s ruling on admissibility of diaries as evidence (10 Nov).

Constitution and Law: *UF Convener Naidu supports Presidential system (28 Oct). *Kanchi Shankaracharya calls for removal of 'secular' from Constitution (10 Nov). *S.C. declares 'bandhs' illegal (12 Nov).

Nuclear Option: *P.M. Gujral disclaims desire to manufacture nuclear weapons (13 Nov).

Judiciary: *Concerted move to raise charges of misconduct against Justice M.M. Punchhi, seniormost SC judge, by a private committee and appointment of in-house Committee by C.J. Verma opposed by S.C. Bar Association (10 Nov).

BABARI MASJID:

Babari Masjid Movement: *Both AIBMAC and BMMCC react positively to Inam of Haram Sharif's advice on surrender of Babari Masjid, if destruction of Hindu temple standing on the site is historical fact but both want judicial determination (15 Nov).

CHRONOLOGY

*Following BMMCC's appeals for low-key observance of demolition anniversary and avoidance of public rallies and demonstration. A local Muslim group in Faizabad - Ayodhya threatens to begin reconstruction of Babari Masjid, if VHP is permitted to organise Kar Sevak's Rally in Ayodhya and Majlis Bachao Tehrik, Hyderabad, calls for total bandh and public rally (30 Oct).

Political Parties: *Mulayam Singh warns BJP-VHP against any disturbance in Ayodhya, Varanasi or Mathura (17 Oct). *Chaturanan Mishra urges BJP to give up Mandir-Majid agenda (27 Oct). *CPI (ML) warns BJP against turning Kashi into another Ayodhya (27 Oct).

*P.M. calls demolition "an unpatriotic act" (7 Nov).

VHP: *Singhal rejects any compromise on Ayodhya (19 Oct). *'Shahid Diwas' for 'martyrs' of 30 Oct and 2 Nov., 1990 passes unnoticed in Ayodhya (3 Nov). But VHP plans Kar Sevaks' Sammelan, preceded by Chaurasi Kosi Parikarma, to honour the demolishers, from 5-14 December. Shahabuddin cautions Home Minister Gupta against attempt by VHP to begin construction of Mandir. C.M. Kalyan Singh assures security and law and order (11 Nov). *UP BJP reiterates stand to build Ram Temple on Babari Masjid site (15 Nov).

Judicial Development: *CBI Court adjourns hearing of criminal case for 21 Nov; 34 accused appear in person; 15 through counsels (17 Oct).

KASHMIR SITUATION

Insurgency: *Bomb blast in Srinagar bus; 3 killed, 30 hurt (24 Oct); 5 security personnel killed in army encounter with Hizbul-Mujahideen in Jammu region (24 Oct). Car bomb detected and defused near AG's office in Srinagar (1 Nov). More bomb blasts in Srinagar (31 Oct and 1 Nov). Grenade attack on police (6 Nov). Security personnel killed (9 Nov). 3 Harkat militants killed (15 Nov).

Political Development: *PM hints at waiving anti-insurgency loan to state at International Conference on Investment in Kashmir (19 Oct). *State Autonomy Committee consults eminent personalities in New Delhi, Shahabuddin tenders evidence (6-8 Nov). ABVP opposes grant of more autonomy (15 Nov). *CM Abdullah rules out talks with secessionists (10 Nov). *President Narayanan addresses Convocation of Kashmir University and hails restoration of normalcy (15 Nov). *APHC's call for general strike on PM's and President's visit fails to evoke response (19 Oct & 15 Nov). *Jamaat-e-Islami, JK proposes negotiation among all parties for settlement (22 Oct). *Shabbir Shah arrested to foil protests march on UN Day (24 Oct). *Total strike in Valley marks anniversary of landing of Indian troops in 1947. APHC leaders arrested (27 Oct). *Arrest of Yasin Malik and other JKLF leaders leads to protest demonstrations in Srinagar (5 Nov). Other APHC leaders including Umar Farooq put under house arrest (6 Nov). *Umar Farooq finds political will lacking in government; rejects framework of Indian Constitution (13 Nov).

Indo-Pakistan Relations: *150 militants reported to have entered Kashmir in October (16 Oct). *Harkat-ul-Ansar, Pakistan, claims 10,000 activists in J&K (23 Oct). *Human chains formed in POK as well as Pakistan on even of PM's meeting in Edin Burgh (24 Oct). Meeting fails to break stalemate (24 Oct). *Pakistan shells border areas in Jammu (5 Nov). *Foreign Secretaries resume talks but fail to make progress or break stalemate on handling Kashmir (27 Oct). Pakistan rules out early resumption of talks (8 Nov).

Foreign Reaction: *UK: P.M. Blair rules out mediatory role (24 Oct) but F.M. Cook affirms 'legitimate interest' (29 Oct).

*USA: State Dept. rejects 'self-determination' as panacea for Kashmir (12 Nov). US expert Embree charges both India and Pakistan with lack of realism (28 Oct). *India decides not to

permit discussion on Kashmir during US Secretary of State's visit (15 Nov).

OTHER MATTERS OF CONCERN

Communal Violence: *Communal violence in Katra Bazar, Gonda; 75 injured; many rendered homeless. BJP MLA involved (31 Oct - 2 Nov). Shahabuddin demands prosecution (7 Nov). *Bombay H.C. admits petition to reopen Bombay riots (1992-93) cases closed by Bombay police.

State Violence: *S.C. rules "mens rea" essential even in TADA prosecutions (8 Nov).

Education: *A.I. Deeni Talimi Council protests against inclusion of Sanskrit as compulsory and Hinduisation of School culture in primary schools (20 Oct).

AMU: *2 Students rusticated for involvement in fracas (21 Oct).

Urdu: *UNI Urdu Service stopped but resumed under protest (20 Oct).

Reservation: *Welfare Minister Ramoowalia proposes higher representation of minorities in para-military forces (18 Oct).

*JUH UP demands reservation for Muslims (26 Oct).

*Manipur Muslims demand reservation.

Haj: *Maharashtra Minorities Front calls for CBI inquiry in Haj Committee affairs (26 Oct).

Offensive Writings: *IUML President Banatwala demands withdrawal of ban on Dr. A. Moghni's "Aurangzeb" (28 Oct).

*MP CM Digvijay Singh demands ban on Gopal Godse's "Gandhi's Murder and After" (26 Oct).

Shia-Sunni Conflict: *Abdullah Bukhari threatens to launch Jail Bharo movement, if Azadari not allowed (17 Oct).

Personal Law: *P&H H.C. Orders alimony to Muslim divorcees (25 Oct). *P&H H.C. rules that personal law is not a fundamental right and social laws apply equally to all, irrespective of religion (11 Nov).

Wakf: *Delhi H.C. admits petition for constitution of Wakf Board under 1995 Act and institution of CBI inquiry for misappropriation against present Chairman.

Protected Mosques: *Government Orders ASI to open all protected mosques for Taravah during Ramazan (15 Nov).

Muslim Organisations: *Minorities Council of India holds 2nd National Convention in New Delhi; Mulayam Singh, Soz and Ramoowalia present. Resolution adopted (23 Oct).

*10th Seminar on Fiqh organised by Fiqh Academy in Bombay (27-29 Oct). *Nadwatul Ulema, Lucknow, holds International Meet on Da'wa (13-14 Nov) with participation of Imam of Haram Sharif, Makka and several eminent personalities. Adopts resolution on movement against Qadianism. *Milli Council's Karvan-e-Azadi reaches Delhi to cold reception. Abul Hasan Ali Nadvi presides. Releases Agenda for India and Charter of Muslims Demands. Honours many eminent personalities with Sitara-e-Hind. Delegation meets P.M. Gujral (7 Nov). *Tablighi Jamaat organises Alami Ijtema in A.P. (20 Oct). VHP claims stopping cow slaughter on the occasion. *Several workers of JIH reported to have been arrested by Saudi Arabian authorities for political activity (20 Oct). *Sir Syed Foundation organises Seminar on Role of Minorities (3 Nov). Ramoowalia and Khusro speak (3 Nov). *A.I. Minorities Front holds Convention, Deve Gowda calls for 'Muslim package' by UF Govt. (20 Oct).

Other Minorities: *Supreme Court confirms Patna High Court Order for equal representation to both Jain sects on managing committee for Parasnath Hill shrines.

*Delhi H.C. upholds death sentence of one accused in 1984 anti-Sikh riots (24 Oct). Session court sentences 3 more to death (12 Nov). *Akhil Takht Jathedar Ranjit Singh's sentence for murder of Nirankari chief remitted by guidance (8 Nov).

(Contd. on Page 574)