

8 THE NEW J&K ORDER IN PARLIAMENT

J&K REORGANISATION BILL PASSED

Govt hails ‘historic move’, Oppn slams ‘historic mistake’



Law minister Ravi Shankar Prasad and Congress leader Shashi Tharoor during the debate in Lok Sabha on Tuesday. LSTV



Future bright, says Ladakh MP, earns praise from PM

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BJP MEMBER from Ladakh Jamyang Tsering Namgyal earned the praise of Prime Minister Narendra Modi for his speech in the Lok Sabha on Tuesday on the motion to scrap special status given to Jammu and Kashmir and a Bill to bifurcate the state into two Union Territories.

Participating in the debate, Namgyal said the people of Ladakh had been fighting for UT status for seven decades. “Today is that day in Indian history when the mistakes made by the Congress under the leadership of Pandit Jawaharlal Nehru are being rectified. In 1948, the president of the Ladakh Buddhist Association had requested Pandit Jawaharlal Nehru to either bring Ladakh directly under central administration or make it a part of East Punjab, but under no condition keep Ladakh with Kashmir. But the government at the time didn’t even listen to us. And because we are under Kashmir, till date Ladakh has not been developed,” said Namgyal, adding that Ladakh has always wanted to be “an integral part of India”.

The PM later tweeted, “My young friend, Jamyang Tseing Namgyal who is @MPLadakh delivered an outstanding speech in the Lok Sabha while discussing key bills on J&K. He coherently presents the aspirations of our sisters and brothers from Ladakh. It is a must hear.”

Home Minister Amit Shah joined BJP MPs in applauding Namgyal during his speech by thumping desks and later mentioned it in his reply to the debate.

Taking a jibe at the Opposition, he said, “Many here are talking of what will be lost with the abrogation of Article 370. What will we lose? Only two political families of Kashmir will lose their bread and butter. The future of Jammu and Kashmir and Ladakh are bright.”

Namgyal also alleged that “two families” of J&K thought that the entire state was their private property.

He said he had won the election on the promise of a Union Territory of Ladakh and that he had won elections with large margins pre-



Ladakh BJP MP Jamyang Tsering Namgyal in Lok Sabha. PTI

cisely because the aspiration of the people of Kargil was a separate UT and that this demand in Ladakh cut across religious lines. Namgyal also spoke of the “inequalities” meted out to Ladakhis by the J&K government. “If 10,000 jobs are created, then Jammu still fights for its share and gets it. Ladakh doesn’t even get 10 jobs out of these. Kashmir got a central university, Jammu got a central university, and despite many protests and demands by us, we were never given a university.” He alleged that Kashmir got a major share of development funds, leaving Ladakh with nothing.

Taking a dig at Ghulam Nabi Azad, he said, “Yesterday, the Congress leader in Rajya Sabha was screaming his lungs out saying what will happen to Ladakh, what will happen to Ladakh. I want to ask him, in 2008, when he was chief minister, his government created eight new districts in J&K. Four were for Kashmir and the people of Jammu fought for an equal number. But Ladakh got nothing. Is this your equality?”

Namgyal also alleged that Article 370 was used to kick Kashmiri Pandits out of their homes. “Is this your secularism? The number of Buddhists in Ladakh were more, now there are more Muslims. Article 370 is being used to eliminate Buddhism from Ladakh. Is this your secularism?”

He said the people of Ladakh “will proudly unfurl the Tricolour as the nation will now have a common flag”.

‘You imposed Emergency first, then told Cabinet’

LIZ MATHEW
NEW DELHI, AUGUST 6

THE BJP on Tuesday countered the Opposition’s criticism of “hurrying up” the Jammu and Kashmir Reorganisation Bill 2019 by reminding the Congress about the imposition of Emergency.

“I remember a very famous cartoon when Emergency was imposed. The honourable President was having a bath and he said ‘at least spare me to take my bath, don’t bring ordinance at this moment’ (in the cartoon). We didn’t do anything like that. You imposed Emergency at first, then told the Cabinet,” Union Minister Ravi Shankar Prasad said, participating in the debate on removing Jammu and Kashmir’s special status and bifurcation of the state.

“We will give a roadmap on how this step will be useful for Kashmir and how it can be used. But can we deny this fundamental fact that the abuse of Article 370 had become a vested interest?” he added.

Asserting that the BJP had the mandate to make this move, Prasad alleged that the families of the Abdullahs and Muftis were trying to prevent the Prevention of Corruption Bill in the state. According to the minister, 106 Bills that were implemented by the Centre could not be taken to J&K.

Parliament on Tuesday approved the resolution to scrap special status of J&K and a Bill for splitting the state into two Union Territories. The resolution was adopted by Lok Sabha and the Bill to create two UTs — Jammu and Kashmir, and Ladakh — was passed by 351 votes in favour, 72 against and one abstention.

Celebrating the scrapping of special status for J&K as an ideological victory, BJP leaders credited both Prime Minister Narendra

Modi and Home Minister Amit Shah for bringing to fruition a cause for which Bharatiya Jan Sangh founder Syama Prasad Mookerjee died in a J&K jail in 1953.

The BJP MPs blamed Jawaharlal Nehru for the situation in Kashmir, with Union Minister Jitendra Singh accusing Nehru of announcing unilateral ceasefire against Pakistan without taking his Cabinet into confidence. He accused him of violating the collective responsibility of the Cabinet by interfering in the functioning of his home minister Vallabhbbhai Patel, and asserted that there would have been no Pakistan-occupied Kashmir if there was no ceasefire. Singh said the then J&K chief minister Sheikh Abdullah had described the constitutional provision as a “stumbling block” in the state’s development.

Jugal Kishore alleged that Nehru had “broken Kashmir”. “PoK will be taken, it’s our decision. Article 370 was imposed by Nehru on the demand of Sheikh Abdullah. Sardar Patel had opposed it,” he said, adding that Article 370 provided only “poverty, unemployment and misery” to people of Kashmir.

Parliamentary Affairs Minister Pralhad Joshi argued that scrapping special status of J&K would correct a historic blunder while ensuring development of the region. He wanted the Congress to support the Bill so they could correct the blunders.

BJP MP Sanjay Jaiswal said it was clearly written that Article 370 was a temporary provision, but the country “waited for years for this to happen and the entire credit goes to the elected government”.

Meanwhile, outside Parliament House, Union Minister for Minority Affairs Mukhtar Abbas Naqvi said his ministry was working on a plan to develop educational and other basic infrastructure in Jammu, Kashmir and Ladakh.

‘Dark day for democracy, travesty of Constitution’

LIZ MATHEW
NEW DELHI, AUGUST 6

AFTER HAVING fiercely opposed the BJP government’s move to scrap special status of Jammu and Kashmir in the Rajya Sabha, the main Opposition Congress saw its efforts against the Bill in the Lok Sabha falling flat as its leader Adhir Ranjan Chowdhury made remarks that were not in sync with the party’s official stand on the Bill.

“You say it is an internal matter. But it is being monitored since 1948 by the UN. Is that an internal matter? We signed Shimla Agreement and Lahore Declaration. Was that an internal matter or bilateral?” asked Chowdhury, stunning his party MPs and even the BJP benches.

“You must clarify whether it is the Congress party stand that Kashmir can be monitored by the UN,” Home Minister Amit Shah said.

When Chowdhury repeated the question seeking clarification, Union minister Ravi Shankar Prasad was heard asking “What are you saying?” Congress leaders, including Sonia Gandhi, were visibly upset over Chowdhury’s intervention.

Manish Tewari, who initiated the debate from the Opposition, tried to salvage the situation by slamming the government for not taking the consent of the state Assembly. Citing Article 3 of the Constitution that deals with formation of a new state, Tewari said, “Before forming the state, changing the boundaries, you will have to take consensus of the local government.”

“This is travesty of the Constitution,” Tewari said. “This is not in the spirit of Parliament.”

He asked the government to clarify on the fate of the constitution of Jammu and Kashmir. He also said it was due to Jawaharlal

Nehru that Jammu and Kashmir, Junagadh and Hyderabad became a part of India, to which BJP had raised objections.

Terming it a “dark day for India’s democracy”, Congress’ Shashi Tharoor said, “You have brought this Bill to this House without consultation with the local parties, with the state legislature out of session for more than six months.” Criticising the massive deployment of forces and arrests of political leaders in the Valley, Tharoor said, “This is a breathtaking betrayal of our democracy and nothing short of legislative authoritarianism.”

Tharoor said the government has opened up space for undemocratic forces by locking up democratic parties and their leaders. “You claim that we were winning the battle against terrorism and perhaps we were. But now we are giving a fresh lease of life to the terrorists. I must say, we are facing a situation in which they can sight a new injustice for them to fight. You have made the mainstream pro-India parties irrelevant and powerless...”

He added, “In the name of unity, you are promoting division; and in the name of prosperity, you are promoting poverty in Kashmir. I feel this is a very sad situation.”

The Congress MP wanted the government to clarify when normalcy would return in Kashmir. “When will Kashmiri parents be able to take their children to school? When will they be able to watch TV? When will they be able to go out and buy food? Then, we will talk.”

Noting that the tradition of consultation and deliberation lies in shreds, he described the latest move as the “political equivalent of demonetisation”. Tharoor emphasised that no one has to teach the Congress about nationalism as it is the original party of nationalism. “We are a large-hearted country... not be a petty (one),” he said.

‘Do you want Kashmiris to sacrifice themselves on Eid?’

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AIMIM MEMBER Asaduddin Owaisi described the Jammu and Kashmir Reorganisation Bill as the “third historic mistake”, the first having been committed with the arrest of Sheikh Abdullah in 1953 and the second with the “rigging” of elections in 1987. “Transmuting a state into a Union Territory would make Gogia Pasha and Mandrake go green with envy. This Bill is a violation of Article 3. What does this do to the federal polity in India?”

He urged Home Minister Amit Shah to read the judgment of Justice Rohinton Nariman in the State Bank of India versus Santosh Gupta case as well as the judgment of the Supreme Court in the case of Zafarullah. He said the Supreme Court had said that Article 370 is not “temporary”, it is a special status.

The AIMIM leader said Shah saw himself as a man with an “iron fist”. “But I must remind him that the first Iron Man in the whole democratic and undemocratic world was Bismarck, the Iron Chancellor. Even Bismarck said that the iron fist must be used by a velvet glove and in this case the velvet was Article 370 and this government has made it hollow.”

He warned the government against the issues which may surface in Jammu and Kashmir. “There will be issues between Dogras and Punjabis in Jammu. There will be issues with Dalits also... There will be demands from the Hindus of Jammu. They will ask, why should we live in Pir Panjal and Chenab Valley with Muslims? There will be migration — you mark my words — of Muslims from Kargil.”



Owaisi: Your MPs are saying this is Diwali. Then why not let all Kashmiris come out and celebrate?

Owaisi said, “What will happen on Eid? Eid is on Monday. Are you assuming that Kashmiris instead of sacrificing a lamb should sacrifice themselves? If you want that, I am sure they will do that. They have been doing that.”

“Your MPs are saying this is Diwali. Then why not let all Kashmiris come out and celebrate,” he said in the Lok Sabha.

The AIMIM leader said it was “dishonourable” to create two Union Territories in the place of a full-fledged state. “Are you planning to settle people from outside in the Valley the way Israelis did (in West Bank)?” asked Owaisi.

RSP member N K Premachandran opposed the resolution and the Jammu and Kashmir Reorganisation Bill on four grounds. He said, one, these were “totally unconstitutional, illegal, void and are ultra vires the powers of the President”. Two, “it violates the basic, federal character of the Constitution”. Three, “it abrogates all the Parliamentary Procedures, Rules and conventions of this House.” Fourth, “it is having an ulterior political motive”.

tax and other rules are the same there. I will give you one more example of what the home minister replied yesterday. He said that the education infrastructure there will improve. Mehbooba Mufti was the Chief Minister there, who was your ally. That was your government. I want to know that if GST could be implemented, then why did you not think of Right to Education? The literacy rate of J&K is 76.75 per cent and that of women is 56 per cent. The literacy rate in Bihar is 71 per cent and that of women is 51 per cent. The male literacy rate in Rajasthan is 79 per cent and that of women is 52 per cent... So when you say that abrogating Article 370 will bring about a lot of changes, I am not convinced. If you can convince me how it is going to change, I am open to a good discussion,” she said.

BJP objects to NC MP’s claim on Mookerjee

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A CLAIM made by National Conference MP Hasnain Masoodi on Jan Sangh founder Syama Prasad Mookerjee’s stand on Article 370 evoked strong objections from the BJP in the Lok Sabha, with Defence Minister Rajnath Singh asking him to either authenticate it or apologise to the House.

After an uproar by the treasury benches, Speaker Om Birla directed that Masoodi’s remarks be expunged. Parliamentary Affairs Minister Pralhad Joshi said the member’s statement was against historical facts and should be removed from Lok Sabha’s records, while Home Minister Amit Shah called the remark “far from the truth”.

Opposing the move to scrap special status, Masoodi called it a black day for the relationship between Jammu and Kashmir and the Union of India.

“Please have the courage to listen — that on August 15, 1947, Jammu and Kashmir was an independent nation. We were neither with Pakistan nor with Hindustan. When the Maharaja decided to accede, it was conditional. He accepted the governor general’s proposal due to exigent circumstances, but had promised to consult the people of his kingdom. This was the governor general’s communicate and not a love letter, when you went to the Security Council and said that you had made up your mind to conduct a referendum...” he said in Lok Sabha on Tuesday.

Speaking about the “self-protective nature of 370”, Masoodi said that the government “cannot bring an amendment in 370 through a constitutional order”.

“You (government) are behaving both as lawyer and judge. Why not consult the people of Jammu and Kashmir first?...” he added.

Akhilesh questions development claim

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SP MP Akhilesh Yadav on Tuesday asked the government that if scrapping special status of Jammu and Kashmir would bring development to the region, then had Uttar Pradesh had been cheated.

“I was told this (scrapping special status) will bring development to Kashmir. I am happy for that. But I want to know if Uttar Pradesh has been cheated despite the Prime Minister, President, Governor, you (Speaker) being from there, how can one say Kashmir will progress?” Akhilesh said in his speech in the Lok Sabha.

“You say nothing happened for Kashmir in the 70 years since independence, are you counting the 11 years that you (BJP) have been in power?” he added.

The Azamgarh MP asked the government to clarify which country Pakistan-occupied Kashmir belongs to. Like his colleagues in the Opposition, he also asked why the people of Jammu and Kashmir had been



‘I want to know if UP has been cheated despite PM, President, Governor, you (Speaker) being from there, how can one say that Kashmir will progress?’

kept out of the loop while taking a decision that affects them.

“Are there still 24 seats empty in the constituent assembly? Why have you not been able to fill them? If anyone in the country can give assurances, then it’s the Home Minister of the country. You please give us the assurance that Pakistan-occupied Kashmir is a part of India and that you

will be able to fill the 24 empty seats in the constituent assembly,” Akhilesh said.

“It is great that we are celebrating Kashmir’s happiness. I want to know when we will celebrate the happiness of Nagaland, Sikkim and Mizoram. Has brute force not been used? We all know what forces have been sent to Kashmir. Why don’t you show us pictures of the streets?”

Sule draws Nagaland parallel, asks Govt to clarify plan

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DRAWING A comparison between the special provisions for Nagaland and Jammu and Kashmir, Nationalist Congress Party (NCP) MP Supriya Sule asked the government to clarify its line on such issues.

Speaking during the debate in the Lok Sabha on Tuesday, the MP from Baramati said, “One question which comes to my mind is about the Naga framework. The Prime Minister two years ago worked out the framework with NSCN and they said that the state is unique and has a different history. The same logic applies to Jammu and Kashmir. So, will there be a similar plan for both? Or what is the

plan? So, you may kindly throw some light on why there is a different rule or special provisions... So, what is really the government’s line? What would it be for Naga framework? Why is there a big change? This is almost like a contrast. So, you kindly clarify on these issues pertaining to J&K.”

She said the debate on scrapping the special status of Jammu and Kashmir will remain incomplete in the records of Parliament as well as history in the absence of former J&K Chief Minister Farooq Abdullah. “I don’t know what to say about the Bill. It is not funny, the kind of rush with which it has been brought. This is Parliament. Please remain calm. My seat is 462 and the seat next to me, number 461, is occupied by Farooq Abdullah, who has



‘My seat is 462 and the seat next to me, number 461, is occupied by Farooq Abdullah... his voice is silent today’

been elected from Kashmir. His voice is silent today. If you ask me, then this shall remain an incomplete debate in history,”