

## **Indian National Congress in Jammu and Kashmir**

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### **ABSTRACT**

*The Jammu & Kashmir state very well known around the world as the crown of India because of its beauty and is situated at the top of India. The borders of this state here touch the boundaries of China and Pakistan. The people of this state were oppressed for centuries together by different autocratic rulers from time to time. Being a princely state in British rule merged with India union after independence. The government of the state is run by India and is financially and fiscally integrated into the union of India. The Congress party being the single largest party in India played an important role in making the state as an intrinsic part of India and its body politics. The underlying objective of the present paper is to understand the effective governance of Indian National Congress and the state led ruling parties in Jammu & Kashmir from time to time.*

*Key Words: Kashmir, Indian National Congress, National Conference, Article 370*

#### **Citation of this article**

Nabi, S. and Sharief, S. (2016). Indian National Congress in Jammu and Kashmir. *International Journal of Higher Education and Research*, 6(2), 82-89. [www.ijher.com](http://www.ijher.com)

#### **Introduction:**

India's struggle for freedom better known as Indian National Movement from the British rule was fought under the leadership of Indian National Congress- an umbrella

party founded in December 25, 1885.<sup>i</sup> It was not a sudden development but an outcome of those forces which were at work before its birth. Actually the growing national consciousness was finding its expression in the ranking local, regional and a few national organizations. Many felt the need for an all Indian association/organization and the Indian National Congress appeared on the scene to play its destined part.<sup>ii</sup> Thus the Indian National Congress made tremendous contribution to the freedom movements of other states and provided inspiration, philosophical and theoretical contents, techniques and methods.<sup>iii</sup> In this regard Jammu and Kashmir State was no exception to it. The state of Jammu and Kashmir was under the oppressive rule of Dogra Shahi.<sup>iv</sup> The people of the state were oppressed for centuries together by different rulers from time to time. It was because of this oppression which led the people to organize a resistance movement in 1931.<sup>v</sup>

The Muslims who were the main victims of the Dogra rulers launched a freedom struggle in 1931 against the Dogra Shahi. They formed an organization namely All Jammu and Kashmir Muslim Conference in October 1932 under the leadership of Sheikh Mohammad Abdullah.<sup>vi</sup> Sheikh Mohammad Abdullah who believed in secular outlook of the Indian National Congress came closer to Jawaharlal Nehru and other party leadership. It was because of this secularist outlook that Sheikh later on changed the name of the party from All Jammu and Kashmir Muslim Conference into All Jammu and Kashmir National Conference in June 1938<sup>vii</sup> and hence the party was opened to the people of other communities also.<sup>viii</sup> On the other hand, the subsequent happenings in Indian sub-continent were its division on the basis of communal lines into two countries- India and Pakistan. The Jammu and Kashmir emerged as a bone of contention between the two antagonistic nations.<sup>ix</sup> The indecision of maharaja of Kashmir paved the way for the birth of a tragedy.<sup>x</sup> The state's accession with Indian Union because of tribal attack fulfilled the objective of the Indian National Congress which from the very beginning wanted to control the state. However in post 1947, the hegemonic approach of the Indian government alienated the centre from the people of the state. Step by step the autonomy of the state was deteriorated by the central government of India. In this connection the top brass leadership of the state were arrested and the puppet governments were installed till 1975 when the accord was signed between the Centre and the state leadership.

The first step in this direction was the dismissal and arrest of Sheikh Mohammad Abdullah. Despite Nehru's denials most historians believed that Congress government was responsible for the cabinet upheaval and that Abdullah was removed because he was reluctant to lead Kashmir continuously into the lap of Indian union.<sup>xi</sup> He was evidently angling for special status just short of independence. Mr Mullick also stated that Pandit Nehru was receiving regular reports from D. P. Dhar and Karan Singh obviously exaggerated which showed that they were working jointly for his removal.<sup>xii</sup> Nehru who earlier had understood Abdullah's importance to the resolution of Kashmir issue did a political volte face. He justifies Abdullah's undemocratic eviction from office before the Indian Parliament by asserting that the latter's autocratic methods had resulted in the loss of the majority of his cabinet and had caused trauma to the electorate.<sup>xiii</sup> The well-planned coup in Kashmir that led to Abdullah's prolonged detention, the mass arrests of his loyalists and the fabricated show of loyalty to the new regime unveiled the strategies deployed by New Delhi as measures that lacked political and ethical legitimacy. One of the dissenters who had given a position of political import in the new regime, Syed Mir Qasim makes candid observations in his autobiography about the overwhelming popular protests against Abdullah's removal and the police brutality that was deployed to quell the unrest.

The dictatorial regime of Bakshi Ghulam Mohammad who succeeds the Sheikh Mohammad Abdullah in 1953 after his dismissal lasted an entire decade until 1963. During that period Bakshi was at the helm of an unrepresentative government which enjoyed the security blanket of New Delhi's protection.<sup>xiv</sup> With Bakshi in power Jammu & Kashmir started drifting steadily into the Indian orbit.<sup>xv</sup> Consequently whatever Nehru might say and whatever the security council of the United Nations would have resolved, the question of plebiscite in Kashmir became increasingly less capable of practical realisation. Bakshi Ghulam Mohammad alleged that Sheikh Abdullah had deviated from the set policies of the National Conference by repudiating its past programme, denouncing Delhi Agreement and advocated "the alternative of creating an independent Jammu & Kashmir". He brought drastic changes in the centre-state relations<sup>xvi</sup> which actually made the people suspicious of Indian union and government and her deeds. So in order to pacify the outbursts of anger among the people following Sheikh Abdullah's arrest he announced number of measures for the development of the

people as well as a series of steps were taken to which prepared the ground for political integration of the state with Indian union.<sup>xvii</sup>

New Delhi cashed in on Bakshi's dependent status by insidiously undermining democratic institutions in Jammu and Kashmir and eroding the state's autonomy with the complicity of the state government. The autonomy of the state within the Indian union which had been proclaimed in 1950 by a constitutional order formally issued in the name of the president of India was rescinded in 1954 by the proclamation of another dictum that legalised the right of the central government to legislate in the state on various issues. The state was financially and fiscally integrated into the union of Indian, the Indian Supreme court was given the authority to be the undisputed arbiter in Jammu & Kashmir, the fundamental rights that the Indian constitution guaranteed to the citizens were to apply to the populace to Jammu & Kashmir as well but with a stipulation that those civil liberties were discretionary and could be revoked in the interest of national security.

The Bakshi government required the ratification of New Delhi for its existence. Bakshi unashamedly declared in the Constituent Assembly that Kashmir's accession to India was irrevocable and the bond which had been forged between the Indian union and Jammu & Kashmir was unbreakable.<sup>xviii</sup> This declaration was validated by Nehru who was careful to qualify his validation with the assertion that the government of India would honour its commitment to hold a plebiscite in Kashmir: 'Let me say clearly that we accept the basic proposition that the future of Kashmir is going to be decided finally by the good will and pleasure of the people. That is the policy that India will pursue'. This was clear initiation of the erosion of article 370 which for all intents and purposes had been relegated to the background by Nehru's central government in collusion with Bakshi's state government.<sup>xix</sup>

Bakshi's arrogance and rampant deployment of corrupt and illegal methods and malpractices in political processes soon caused him to be an embarrassment for the democratic government of the Republic of India and his mentors in New Delhi asked him to step down from the position under the façade of Kamraj Plan<sup>xx</sup> because he began to show signs of going beyond what had been assigned to him by the centre government. His reluctance to permit Delhi to make further constitutional amendments to abrogate article 370 cost him to step down.<sup>xxi</sup> So, accordingly Pt.J.L. Nehru got a lesser known man Shams-u-din elected the next prime minister of Jammu & Kashmir.

The masses had already lost faith in the National Conference after Mr Bakshi took charge of it following the deposition and imprisonment of Sheikh Abdullah in August 1953 and thus Sadiq and Qasim were in no position to try to revive National Conference which ultimately drifted them in political wilderness. They looked for an alternative platform and from here begins the story of the congress party in Kashmir

### **Change of nomenclature from the ruling National Conference to Pradesh Congress Party:-**

The slew of imposed integrative measures operationalised through the co-operation of a group of Jammu & Kashmir politicians which proceeded by the most breathtaking development of all. On January 3, 1965 the working Committee of the National Conference (meaning its ruling Sadiq faction, Mir Qasim being party general secretary) announced that the National Conference would dissolve itself and merge into India's ruling Congress party. In other words the name and identity of Kashmir's historic political movement and monolithic National Conference were cease to exist altogether and it was to be absorbed into India's Congress as a provincial branch. It is difficult to conceive of a more drastic centralising strategy than what unfolded between December 1964 and March 1965. On January 10, 1965 the central Congress party's working committee unanimously accepted the merger offer. Before this the state virtually had a monopoly of the National Conference. Pandit Nehru during his life time never allowed people to formally organise the congress party in the state as he regarded the "National Conference as the Pradesh Congress for all practical purposes" because in the post-53 period National Conference did all what the union government wanted her to do. It was only after his death that the unit was launched in the state. The newly formed Congress party remained in power for a decade i.e. from 1965-1975.<sup>xxii</sup>

Abdullah who described it as a threat to the entity of Kashmiri Muslims lost all hopes for getting justice and fair-play for Muslims from India. He declared every pro-India Muslim to be a traitor.<sup>xxiii</sup> Under Sadiq regime (1964-71) many other provisions of the Indian constitution were extended to the state which helped to erode autonomy of Jammu and Kashmir and brought the state almost at par with other federating states of India. The drastic and festered step the Congress regime resorted to was the sixth Amendment to the constitution of Jammu and Kashmir in April 1965.<sup>xxiv</sup> It introduced

drastic changes in the constitution of Jammu and Kashmir. The amendment abolished the office of the Sadr-e-Riyasat and incorporated a provision in the state constitution which provided for a Governor to head the state.<sup>xxv</sup> It also abrogated the provisions of section 27 of the constitution which laid down the procedure for the election of the Sadr-e-Riyasat and his recognition by the president of India. The provisions of section 27 were replaced by fresh provisions which stipulated that the Governor of the state would be appointed by the president of India. The sixth amendment also abolished the office of the Prime Minister, replacing it with chief Minister to be head of the government.<sup>xxvi</sup> It thus changed the very character of the government.

Thus the status quo was maintained till 1971 when the international scenario was changed because of disintegration of Pakistan. Sheikh after released from detention in 1968 continued to follow an anti Indian posture. But the dismemberment of Pakistan reduced the bargaining capacity of Kashmiri leaders. At the age of 70 now Sheikh had also lost all his energy to fight India any more. His temptation for holding the reins of power peacefully was strengthening. He pleaded for a solution of the problem within Indian constitution. The dialogue started in 1972 and the result was the 1975 accord.<sup>xxvii</sup> Thus sheikh come to power once again and Mir Qasim was stepped down by Indira Gandhi. Thus congress brought the state at par with other Indian states. M. J. Akbar writes that Mrs Gandhi was at her best that day. Her recognition of Abdullah's status as the leader of Secular Kashmir was Indira Gandhi's finest achievement. She did not put the clock back. But she picked it up and wounded it again. Rather it was an achievement of long cherished goals and objectives of Indian leadership which culminated into an agreement which provided a new political metamorphosis and stability in the state. With this the atmosphere of uncertainty and anti-India activities ended in Jammu and Kashmir. Sheikh, with whom the entire political process in the valley was closely identified, was again placed at the helm of affairs after this accord.<sup>xxviii</sup>

While concluding we can infer that the Congress party played an important part in making the state of J&K as an intrinsic part of its body politics and revolutionised the state so far as socio-economic development is concerned but so far as Kashmir problem is concerned the Congress party halted the democratic channels and installed unpopular governments in the state. The State's autonomy was eroded and power and prestige was clipped away. Neither healthy democracy nor healthy opposition was allowed to grow

smoothly. With the result contours of democracy grew weaker and weaker and the emergence of new vibrations in the political arena of the state surfaced which engulfed whole area of the sub-continent. However the accord revealed that article 370 was very much in name only especially after the post 1953 changes. A further green light for the central interference was included and Indian parliament continued to have powers to make law relating to prevention of activities directed towards disclaiming questioning or disrupting the sovereignty and territorial integrity of India. Thus, in summary Abdullah compromised both on the issue of self determination and on autonomy which was ultimate goal of Congress.

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- <sup>xxvi</sup> Constitution of Jammu and Kashmir, sec.26(3)
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