**Does it matter to have a chief minister from Jammu?**

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Kashmiri leaders and Government of Pakistan, believed and encouraged us to believe, that they will have good news from Modi Government or any other Indian Government after the elections. Therefore we compromised to be killed and humbled in the valley, until elections were over. The good news that came from Modi Government is that it has started working around delimitation of existing boundaries and create new constituencies in Jammu in particular. If Jammu has unrepresented numbers, it can win the argument and we will have a Chief Minister from Jammu in future.

If India ever defeats people of Kashmir and the advocacy of the Government of Pakistan of Kashmir case, it would be by the use of jurisprudence of an argument. If we revisit our enormous work, it is full of reflexes, reactions and we have hip hopped on the jurisprudence of Kashmir case. Jurisprudence of Kashmir Case is our strength. We don’t want to work hard and work right – to defeat Indian argument. We have many.

BJP sneaked into Kashmir and shared the governance with PDP. It has assessed the troubled waters of Kashmir politics and is on course to defeat the NC, PDP, CPM and other local parties by politics of favour and intrigue. Delhi tricked NC, PDP and Peoples Conference and did not allow them to stake their claims to form a Government and paved way for the Governors Rule in the State. Governor is an appointee of Delhi and now Delhi has imposed the President’s Rule, to rule Kashmir directly.

A chief minister from Kashmir (Valley) or Jammu does not matter, as long as, he honours the oath to ‘do good to all manner of people’. Kashmiri Muslims should not fear the arithmetic’s of democracy. A shift of chief ministership from Kashmir to Jammu or from a Muslim to a Dogra (Hindu) should not be feared. A Jammu chief minister would have to listen to his conscience and honour the oath. He would not be there with no holds barred to slaughter Muslims, as was done in November 1947.

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Delimitation would not be ‘unconstitutional'(undemocratic) but without doubt an act done in bad faith. Modi Government will use the Election Commission of India and argue that the exercise is to make constituencies representative of population groupings. New births, deaths and other natural factors create disproportions in these numbers over a period of time and fresh delimitation would be argued on this principle. It is very likely that BJP has secured the hidden support of one or more political parties from Kashmir. The uproar and annoyance shown by these parties may turn out to be the same, as PDP did during previous elections but in fact had struck a secret deal of power sharing with BJP.

The bad faith of BJP could be seen floating on the surface. It has managed its direct rule in Kashmir but does not have the freedom to disturb the constituencies until 2026. It would be a violation of the freeze imposed by J&K State Legislature till 2026. It is unimaginable that NC, PDP, PP, CPM and other parties would keep their nerve for long and decide to challenge the crocodile in deep waters of Kashmir. Power after all stems from the A4 size files kept in Delhi.

Even the Supreme Court of India on 9 November 2010 has upheld the freeze imposed by the state government on delimitation of assembly constituencies in the state till 2026 and dismissed the plea that it violated the “basic structure” of the Constitution. BJP has experimented all manner of evil in Kashmir and it may not hesitate to go for delimitation as Jammu versus Kashmir issue for electoral gains. The exercise would be without legal authority and in gross violation of Constitution and law.

The best remedy would be to enlist the concern of Dr. Karan Singh as he has always believed in the unity of the State. He has distanced himself from the Indian policy to use brute force, in particular, has condemned the use of pellet guns and he counselled the government not to storm Dargah Hazratbal, where some militants were holed up for fifteen days in November 1993.

The other reliable argument to stop BJP in its tracks would be the use of UN jurisprudence of Kashmir case. UN Security Council Resolution of 30 March 1951 restrains against any such action which would prejudice the principle of a free and fair plebiscite in Kashmir. Government of Pakistan needs to revisit its policy on Kashmir and invoke the guarantees given under UN Security Council Resolutions.

Government of Azad Kashmir constituted to discharge responsibilities under UNCIP Resolutions and the Government of Pakistan which keeps a control in Azad Kashmir to discharge duties under UNCIP Resolutions, have no option but to come clean and alert the UN Security Council and seek the intervention of International court of Justice. Azad Kashmir President has just returned from his attendance at the OIC Contact Group on Kashmir Meeting in Jeddah. The delimitation plan of BJP has exposed him and the Government of Azad Kashmir to a real time test to move from ‘spin’ and ‘optics’, into eye ball to eye ball distance with BJP.

OIC has appointed Yousef Aldobeay as ‘special envoy’ on Kashmir and President AJK has presented a 9 point formula on Kashmir. OIC envoy needs to be advised and supported to take up the challenge without delay. Contact Group has heard Syed Abdullah Gilani, the Convenor of Hurriyat Conference and representative of Syed Ali Shah Gilani. They have heard the Foreign Minister of Pakistan as well.

People of Jammu and Kashmir are known to the United Nations for the last 70 years. These people are waiting that the United Nations keeps to its schedule of a UN supervised referendum in Kashmir. Government of Azad Kashmir, Government of Pakistan, Diaspora, NGOs and intra-disciplinary interest groups at all levels need to revisit their work mechanics and re-define it.

Our optics and propaganda would not defeat the jurisprudence of Indian argument. We need to learn and perfect our arguments. If we don’t act today, tomorrow is always too late. It is time to feel concerned.

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