

WHY KASHMIRI PANDITS ARE TARGETED?

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KEY FINDINGS:

- 1. Targeted killings are facilitated by the “Overground Workers” (OGW’s) with connivance of a few anti-national mid-level government bureaucrats affiliated with the Jamaat-e-Islami (Jel), while most bureaucrats look the other way out of a concern (or fear) for their personal safety.**
- 2. KP’s were off the target list as long as the supreme leader of the Jel in the valley was in charge of the resistance front. That period ended as the supremo stepped down because of his declining health and eventually passed away.**
- 3. Success in dismantling the terror eco-system will depend to a great degree on eradication of the OGW’s and their linkages within the official bureaucracy. That effort is currently hampered by a disconnect between local officers and their non-local (on deputation) superiors at the district level. The policing architecture must change to efficiently root out the anti-national elements within the bureaucracy as well as on the outside.**
- 4. The security situation has improved because the traditional nexus between the police and politicians has been broken. After the elections, the situation will deteriorate to the detriment of minorities. If the Statehood status is returned to the Union Territory without destroying the OGW-bureaucrat nexus, it will spell doom for the minorities in the valley.**

The targeted killings of Pandits are not of recent origin. In fact, the current phase of militancy and mayhem began with targeted killings of Pandits, some 33 years ago. Also, every time target killings became a phenomenon, it enveloped both Pandits and local Muslims as well, as well as some non-valley born Hindus. So, to ignore that aspect of the data will naturally lead one to a superficial

analysis, which is usually how official explanations are offered, in sound bites that are convenient to hear, but almost always are generalizations that obfuscate the truth.

The recent tragedy of targeted killings in Kashmir, since mid-80's, can be expressed in four (4) phases. The first phase was designed, bankrolled, resourced, and directed by Pakistan. The local executioners belonged to the terrorist organization Kashmir Liberation Front (KLF) that subsequently took the name of Jammu and Kashmir Liberation Front (JKLF), and later by another terrorist organization called the Hizbul Mujahideen (HM), with JKLF playing a secondary role. Pakistani Inter Service Intelligence (ISI) handlers selected targets (both Pandits and non-Pandits) and either Pakistani or foreign origin terrorists, or local JKLF/HM terrorists killed them. This phase lasted more or less until 1996 when the State reverted back to the legislative rule.

After 1996 State elections, the local administration returned to the premier Kashmiri political party, the Jammu and Kashmir National Conference (JKNC). In order to give some semblance of apparent law and order, it reached out to its local (valley based) political adversaries that were tied to Pakistani interests, namely, the All Party Hurriyat Conference (APHC) for mutual accommodation. This arrangement had the tacit approval of the Indian authorities, believing that such a compromise will bring some degree of peace in the valley. The ISI did not withdraw from the scene, and every now and then Pandits suffered their wrath through mass executions, in Sangrampura and Gool/Ramban (both in 1997), Wandhama (1998), Naadimarg (2003), etc. By early 2000's, Ali Shah Geelani had emerged as the undisputed leader of the pro-Pakistan resistance movement, having marginalized his competitors and subsequently creating a new organization called the Tehreek-e-Hurriyat Jammu Kashmir (TEHJK) in 2004.

As part of the bargain with the State, Geelani recommended recruits from Jamaat-e-Islami (Jel) began to fill the valley government posts (including backfills for jobs held previously by Pandits who had since left) who owed their

allegiance to Geelani and the Azadi movement. In other words, the State agreed to bypass the official merit-based selection process for filling up open government job postings during that period. The political cover for such nefarious designs was readily accommodated by all valley-based politicians and political parties. By this time the number of political parties had also mushroomed courtesy of the national security agencies with hopes of providing alternatives to the indulgent JKNC, but in due course, every politician fell in line to accept Ali Shah Geelani as their “maximum leader.” He had the authority to command anyone in the valley bureaucracy, and no one would dare challenge his orders, including his frequent calls for “*hartals*” resulting in immense loss to the business community and severe inconvenience to the public. Within a few years, the nexus between the government bureaucracy and hardcore terrorists began to grow, claiming its first prominent victim – a journalist – in 2018, but that nexus would not be uncovered until 2021.

Geelani had many serious faults, including his role as the “final authority” who neutralized political threats with extreme prejudice in Kashmir, but he did not see Kashmiri Pandits as enemy targets. In fact, I personally know of incidents where he saved the lives of Kashmiri Pandits from angry Kashmiri Muslim mobs who got trapped in wrong places at the wrong times in the violence that was frequently prevalent between agitating Muslims and the security forces in Kashmir. Credible sources have also told me that the State Government sought and received Geelani’s blessings for the PM Relief Package for Pandits before it was announced publicly. He did not influence the package, nor did he know of its precise contents, but he agreed with the approach that Pandits should be encouraged to return back to the valley. This phase of politics more or less lasted until 5th August 2019.

The genesis of the next phase actually began before 2019 and soon after the Modi Government took over in New Delhi in May 2014. He sought a new assessment of the Kashmir situation, with differing agencies giving their own assessments, but one particular agency appeared to have a better assessment of the ground situation than traditional security agencies associated with the

Home Ministry and the Prime Minister's Office (PMO). This was borne by the State election campaign in November 2014 where observers covering the polls noted that the same hooligans arrested and released previously during stone pelting incidents were now seen in long lines patiently waiting to cast their ballots, while most public heeded the call by Mr. Geelani to boycott the elections and stayed away fearing for their safety.

As the late Shri Arun Jaitley from the Bhartiya Janata Party (BJP) set up the time-table to fulfill constitutional modalities in the Indian Parliament to create a legal remedy of abrogating the Article 370 through a tactical use of the Article 356, the new security assessment was used to plan for mitigation of likely public outcry in the valley over the removal of the Article 370 in the State. The selective incarceration of the political leaders and their tentacles in the valley in the first week of August 2019 happened without any violent incidents. Peace prevailed in the streets of the valley contrary to the dire predictions made erroneously by a few security agencies.

During the third phase, starting with the Union Territory (UT) status of Jammu-Kashmir in 2019 to until the death of Ali Shah Geelani on 1st September 2021, the focus shifted to the detention and eventual release of maligned local major political leaders, the last one being Mehbooba Mufti on 13th October 2020. But this was also the period when the linkage between the anti-nationals working in the State bureaucracy and the ISI sponsored Lashkar-e-Toiba (LeT) was firmly established. On 1st January 2021, a local Hindu goldsmith, Satpal Nischal, was a victim of targeted killing in the valley. A LeT/ISI linked local terror outfit named "The Resistance Front" (TKF) claimed responsibility for the heinous act, attributing the killing to victim having received a Domicile Certificate.

It was not until 17th July 2021 that Satpal's murder conspiracy was exposed by the Police and security agencies with the arrest of Sofi Akbar, Secretary of the Srinagar Municipal Corporation (SMC). Akbar and his cohorts had created a website where they would expose targets who would subsequently be killed by

locally recruited LeT/ISI recruits using handguns. A new class of terrorists, called the “Over Ground Workers” (OGW) was born, and in this case this particular group of OGW’s had fingered Shujaat Bukhari (journalist) killed in June 2018, Babar Qadri (advocate) killed in September 2020, and finally Satpal Nischal (goldsmith businessman) killed on the New Year’s Day 2021. The message was clear. The targeted killings were being facilitated by a select group of anti-national officials, on public payroll, working in the valley, picking up from a wide canvass of targets ranging from members of the Press, legal profession and the business community. The website on which Bukhari’s and Qadri’s name appeared also included other names, including two Kashmiri Pandits, but fortunately the plot was uncovered before they became the next victims.

The hunt for the OGW’s is complicated by the inter-agency rivalries as was evident during the Hyderpora encounter that took place on 14th-15th November 2021, where various police and military officials initially gave conflicting statements, and the local civil society, with covert support from bureaucracy and overt support from local politicians, tried their best to debunk the facts on the ground. The facts in this case, as borne subsequently by an exhaustive investigation which was made public on 28th December 2021, were that a building owner had surreptitiously rented out a portion of his building in Hyderpora locality of Srinagar to a prominent dentist, who in turn hosted a Pakistani illegal along with a local assistant in the unit, and the Pakistani had engaged in violent acts of terrorism in Srinagar and its surroundings. Hyderpora encounter of November 2021 is a clear proof of how the deceitful politicians of the valley are linking with anti-national elements within the local civil society for political gains. This is happening in spite of the fact that traditional nexus between politicians and the Police is absent while the former State remains a UT. However, the effectiveness of the police force is somewhat degraded by a lack of full support from lower ranks to the non-local IPS cadre in-charge of the districts. The UT security upgrade requires a new policing architecture.

The response of the local bureaucracy to the yearning of Pandits for their expeditious return to the valley is another side of the same story. While the

efforts to put together a return and rehabilitation package for displaced Kashmiri Pandits began in 1997 with the formation of a committee headed by Mr. M. L. Kaul (Additional Chief Secretary, J&K), it was not until 2004, when an inter-ministerial committee, headed by Ms. Sushma Choudhary, was constituted at the direction of the Manmohan Singh Government, that the relief and rehabilitation effort for Pandits went into a high gear. Even though Pandits by then had patiently waited for fourteen (14) years for the relief and rehabilitation policy, it took another four years before the “PM Relief Package” was finally announced with great fanfare and expectations in 2008. Its announcement was a triumph for the State bureaucracy and politicians – the rehabilitation and relief of Pandits would not be part of the State budget and finances - but would come directly from the Central Government funds, and yet the State would retain full authority and control over disbursement of such funds. In other words, the State controlled the progress, or the lack of it, in pursuing relief and rehabilitation of Pandits.

Not surprisingly, the valley politicians and bureaucracy thwarted all attempts to ensure speedy return and rehabilitation of migrant Pandits under the PM package. By employing bureaucratic inertia (“red tape”) and disingenuous means to slow the process of filling up posts sanctioned for migrants, by creating excruciating delays in constructing housing quarters (called “Transit Room Tenements”) in the valley, and by the anemic pace of recovery of illegally occupied Pandit properties including orchards, the bureaucrat-politician nexus ensured little progress towards the return of Pandits to the valley. In this regard, nothing has changed even as the State became a UT, proving in a way that valley bureaucrats still hold full control and authority over the return and rehabilitation of Kashmiri Pandits.

The period of time from when Syed Ali Geelani took over as the supreme resistance leader in 2003 to until his seclusion due to failing health in 2019 (16 years), not a single Kashmiri Pandit was a victim of target killings. In fact, the new phase of targeted killing of Pandits began with the assassination of Mr. Ajay Pandita, a Sarpanch from the Anantnag district, on 8th June 2020, in the

same month that Mr. Geelani removed himself from politics all together. He died nearly 14 months later.

The last phase – the current phase – began in earnest soon after the death of Mr. Geelani, with the balance of power in the resistance class reverting back to local political dynasties, namely, Abdullah's, Mufti's, and Lone's. After the Hyderpora encounter, the bond between the OGW's and politicians grew tighter, and the shrill in the belligerent statements from politicians grew louder. From targeted killings of Kashmiri Muslim army personnel on leave with their families, to unfortunate non-local Hindu migrants scrapping for a few rupees as "*pani puri*" sellers, no one is safe from targeted killings anymore. New *Tanzeems* have mushroomed that provide the cover that allow OGW's to operate with impunity, as is evident from a lack of any culpability in the targeted killing of a government employee, Pandit Rahul Bhat, *in his Tehsil office*, on 12th May 2022.

When the UT Government began to demand accountability for excuses and delays in creating jobs for Pandits or their housing from bureaucrats, and when the Government began a new transparent process to facilitate confiscation of illegally occupied Pandit properties, the OGW's began to strike back, fingering Pandits as targets. The new *Tanzeems* mostly consist of young operatives and once the blood is spilled, the scope of targets began to enlarge, and now includes Muslim civilians seen as either assisting the enemy or pursuing non-Islamic habits (according to these terrorists) that are also being executed by LeT/ISI gunmen.

The Lt. Governor of the Union Territory, Mr. Manoj Sinha, has been lately reiterating his commitment to dismantle terror eco-system in the valley. He has emphasized the need for various security agencies to work together for a better coordination of their activities. Similarly, Mr. Raj Nath Singh, the defense minister, in a recent visit to the UT, blamed the present security situation to a "foreign conspiracy." All of this may be true, but the UT Government must put

in place an intensive security program to search, seek, expose, and arrest OGW's and their nefarious connections within the local bureaucracy. The activities undertaken so far by the Government are too little and too late, especially where the victim is a Kashmiri Pandit. A case in point is the rapid police action to slap a FIR (102/2022) on the owner of a brick kiln in Chadoora, Budgam, for safety negligence when one of its non-local migrant employees, Dilkhush Kumar, was killed by unknown gunmen on 2nd June 2022. And yet when Pandit Rahul Bhat, an employee of the Revenue Department who was killed by terrorists while at work in the Chadoora Tehsil office on 12 May 2022, no accomplice within or outside of the bureaucracy has been held responsible so far. Equally distressing is the fact that the magistrate who authorized a lathi charge and tear gassing of non-violent Pandit marchers from the Sheikhpora housing colony in Budgam, who had congregated peacefully on the day following Rahul Bhat's murder, has not been reprimanded as yet.

A noted journalist of the valley, Ahmad Ali Fayyaz, has highlighted specific examples of administrative lapses in the Education Department leading to targeted killings of teachers, Supinder Kaur and Deepak Chand, in the Eidgah area of Srinagar on 7th October 2021, and of Rajni Bala in Kulgam on 31st May 2022, and yet no official has been disciplined so far.

On the premise of my analysis, the future of minorities in Kashmir will remain uncertain until a section of the local bureaucracy shuns its overt and covert resistance to the return and rehabilitation of minorities, and assists security forces in destroying the OGW culture in the valley. It should be noted, however, that most local bureaucrats are loyal citizens of India, and the few that are sympathetic to terrorists are unfortunately tolerated in the system out of fear for personal safety by the rest. At the other end, if the political class keeps highlighting religious bigotry and making inflammatory speeches spreading fear and hate, then things will not change for the better either. Currently, the political class has a limited level of authority during the Lt. Governor's Rule, but if elections return the administrative authority to the old political class, there is every possibility that we may yet see Wandhamas and Naadimargs repeated

again. In any case, any reversion of the UT to a State (when the local law-and-order authority fully reverts back to elected local politicians) is fraught with danger for minorities of such enormous proportions that I doubt that such a change will happen if the same political class is returned to power in the UT that created the nightmare in the first place.

We hope that Kashmiri Pandits will return back to the valley some day with dignity and in safety. It will need a combination of soft and hard power to bring a compelling change in the situation in Kashmir. But more importantly, it needs tough decisions of the same significance that the Indian Parliament took on 5th and 6th August 2019. Why the Modi Government did not take the next logical step of announcing the return policy for Kashmiri Pandits on the 7th August 2019 is a mystery. Perhaps we may know the answer some day.

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