

EL YAWM

A single Constitution for the entire county: How will Jammu, Kashmir and Ladakh benefit?

*** India didn't mention "war" once in its diplomacy and seeks for international peace.**

(M.KH, p.10)

India wants to bring employment, peace, development and growth, and to provide equal opportunities in Jammu and Kashmir while being sure that the obstacles that prevent Kashmir from reaching its full capacities will come to an end, and a new world of opportunities will be open to the population of Jammu and Kashmir.

India, according to many observers of the international affairs, has never talked in its diplomacy about the war and seeks to call for international peace as it was confirmed through the statements of its officials that India works hard to push development and growth in all the sectors of the Indian administered Kashmir. India respects Muslims and minorities, and assumes its steady positions despite the media's propaganda that tries to mislead the international public opinion by displaying a racist policy in India which is very far from reality especially that The world's most knowledgeable people of strategic issues know and are fully aware that the growing geopolitical weight and the status of India among countries bother many.

In recent weeks, important decisions have been taken regarding Jammu and Kashmir. Articles 370 & 35 A have been abrogated or substantially modified and other important changes have been made. How will these changes benefit the common man? What advantages will accrue to the region?

Article 370 and 35A Responsible for Backwardness of J&K for many years in the past, the state of J&K has been the victim of anti-national propaganda and terrorist actions against innocent citizens. The Articles 370 and 35 A became handy tools for mischievous elements to fan separatism and promote terror. These two articles kept the state isolated and away from the development processes in the country for a long time. The special status benefited only a select few e.g. Hurriyat leaders and people working for them. Despite massive fund allotment there was only limited improvement in the conditions of the poor and disadvantaged. Similarly even though the Parliament passed a number of progressive laws for the benefits and welfare of people yet most of them could not be extended to J&K, thereby denying the people of J&K the benefits, which are available to all other citizens in India.

How will this change now? How will this lead to end of poverty and a boost to development and growth?

Here are a few ways in which development and progress will percolate down to the grassroots. Investors will pump in capital and resources, industries and services will be set up, employment opportunities will multiply, big educational institutes will proliferate, health sector will grow, agricultural sector will be transformed, agro-processing will take a leap forward, ecological and environmental provisions will be enforced and natural beauty will be preserved. All fundamental rights enjoyed by citizens in the rest of the country will be now available to the residents of Jammu, Kashmir and Ladakh.

Benefits for Scheduled Tribes

Despite having nearly 12% population, the ST community (Gujjars, Bakerwals and others) had no political reservation. STs will now get political representation through reservation in Assembly seats like in the rest of the country. The Scheduled Tribes & other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has now been made applicable. There was no corresponding State Act. Rights of Tribal/ST Communities residing in forests since generations will now be protected.

Gender discrimination to end- Women to get full rights

Property and all other rights of women marrying outside the State will now be fully protected. So many women from the state have married and settled in other parts of the country and even abroad. All such women will now retain full and legal rights on land and all other rights. All Central Acts and Laws protecting the rights of women and children to be made fully applicable to the State e.g. Prohibition of Child Marriage Act, Protection of Women from Domestic Violence Act, Juvenile Justice Act etc. The Commission for Protection of Child Rights Act, 2005 provides for speedy trial of offences against children, violation of child rights etc. This act will now be applicable here and will ensure adequate protection of women and child rights. The 86th Constitutional Amendments Act, 2002 (Right to Education RTE) makes education a fundamental right for Children in the age group of 8-14 years. Benefits which were available under RTE now shall be extended to J&K as well ensuring universal education coverage

Benefits to Scheduled Castes and Other Backward Class (OBC)

SC employees were not getting full benefits of reservation especially in promotion like their colleagues in the rest of the country. Safai karamcharies in the state were being denied citizenship rights- as a result they could not get jobs forcing them to remain sanitation workers. All will now get full citizenship and other rights and benefits- Manual scavenging will stop. National Commission for Safai Karamchari Act, 1993 will now apply. This will improve working conditions of Safai karamcharies and provide for redressal of grievances. OBCs in J&K to get their due in employment and education- they will get full benefits of reservation now like in the rest of the country.

Justice for West Pakistan Refugees

Over 20,000 West Pakistan Refugees (WPRs) were hitherto aliens in their own country. They were denied all democratic rights as well as citizenship and property rights. They will now enjoy all democratic and other rights as citizens of the country.

Investment, Development and Employment

The application of Articles 370 and 35 A placed restrictions on transfer of land. As a result private investment in developmental works was severely constrained. No large industries developed in the state. No major investment in Education, Health or Tourism. Consequently, employment opportunities especially for youth remained restricted. Removal of restrictions will encourage industry and private investment. This will spur growth and employment leading to prosperity for all. Industrialisation of the state will multiply job opportunities for local youth. Local horticulture and food processing will get a big boost- all small, medium and big farmers will benefit. Handicraft industry which was earlier limited to select destinations will now be able to directly export and collaborate both nationally and internationally- Even poor artisans in villages will benefit.

Benefits to land owners

Land rates all over the country have increased many fold while rates in J&K have not increased as much. This will change in the days to come. Any landowner who wishes to sell his land would benefit from increased prices. However fears of the people about loss of land and properties are not well founded. In fact, there is no compulsion on anybody to part with his land. Anyone who does not want to sell his lands will have the full liberty not to do so. There will be no change in ownership due to removal of Article 370.

Big Boost for Tourism

The tourism potential of the entire region is immense. The special provisions and consequent restrictions prevented investment by major national and global players in the sector. With the restrictions having been removed, the tourism potential of the region will be fully utilised. Investment in tourist infrastructure such as hotels and other facilities will increase tourist arrivals and create further job and earning opportunities. Film shootings, adventure tourism, religious tourism to grow. PPP models will provide opportunities for local entrepreneurs. Rural tourism will grow- as a result, benefits which were earlier in cities only will now reach villages too.

Education and Health

Higher education all across the country has witnessed a boom but not in J&K. As of now, there is not a single private university currently in J&K 20,000 students from J&K have to go to other parts of India to study. Now even this sector will boom due to the PPP model in vogue- no compulsion for students to go outside for education. Similarly in the Health sector

there are no large hospitals in J&K in the private sector. So many patients are forced to travel to Chandigarh, Delhi or Mumbai for specialised treatment. Now large private investment in health and education is expected-world class health care providers to open their franchises and health centres. This would bring top quality health care right at the door steps of the people. This will also lead to employment opportunities and growth J&K can become a medical tourism hub for the Middle East and East Asia.

New Dawn for Youth- Equal Opportunity for all

While the children of separatists and politicians study in London, New York, Singapore and other top cities of the world, the children of the poor in J&K have been denied even a decent education facility. Now there will be a new dawn in Kashmir ensuring equal opportunity for all. There will be significant upgrade in education facilities of all, particularly the children of the poor. The focus of the government will be education, industrialization and boost to tourism.

Panchayati Raj Institutions

The establishment of Local Self Governing Institutions was so far erratic and at the whims of the State Government. For long periods, no elections to Panchayats were held. Now the 73rd & 74th Constitutional Amendment have become applicable. Constitutional status has been given to local self governments in Rural & Urban areas. All provisions relating to Panchayats and local self governments to be fully applicable. Panchayats will now get direct funding- people will decide their own developmental priorities. This will lead to strengthening of grass roots democracy.

Transparency and Accountability and Control Corruption

Lack of strong laws led to corruption and poor accountability. As a result much of the funding failed to reach the poor. So despite massive spending, little impact was seen on the ground. Now all anti corruption central Laws including Whistle Blower Act will be applicable Oversight by all central agencies and watchdogs will ensure reduced corruption. Transparency and accountability to increase. Funds earmarked for the people will actually reach the beneficiaries. Corruption will be controlled.

106 people friendly laws and 9 constitutional amendments of the Indian Constitution now to be made applicable. Earlier applicability of Central Laws to Jammu and Kashmir (J&K) was limited. No Central Act could be made applicable to J&K except through special procedure. As a result, many laws could not be applied to J&K thereby depriving the local residents of the benefits of these legislations. So many progressive laws such as Right to Education, Maintenance & Welfare of Parents & Senior Citizens Act, 2001, National Commission for Minority Act and acts for benefit of Women, Children, Disabled will now be applicable. The application of these laws will help the most vulnerable sections of the population.