



RESEARCH JOURNAL

Department of Political Science



The Assam Valley School

VOLUME 1

THINK

TANK

Founders' Semester, 2020



THINK TANK

Department of Political Science

Founders' Semester, 2020, Volume 1

Chief Patron: The Headmaster, The Assam Valley School

Teacher Editor: Thajeb Ali Hazarika
Advisor: V.P. Rao

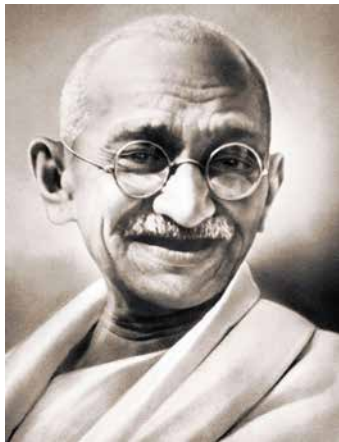
Contributors: Kabak Remin, Srishti Baruah, Karma Chamling, Mesam Laloo, Artham Hojai Das.

Concept, Design and Layout: Anushcka Joshi

Publisher: The Assam Valley School, P. O. Balipara, Assam-784101.

The views expressed in the articles are the authors' own and do not necessarily reflect those of The Assam Valley School.

This issue is dedicated to



Mahatma Gandhi Ji,
The Father of The Nation,
On the Occasion of Gandhi Jayanti,
whose values of truth and non-
violence have stood the test of time.

“Happiness is when what you think,
what you say, and what you do are in
harmony” -M. K. Gandhi



Quill Strokes

A FEW FLOATING QUESTIONS

Blessed as we are with the power of rationality, communication and claiming to be the supreme two legged creature thumping the earth with arrogance and disdain, the thinker is either lost or can no longer be found in the caves any more. Contemplation and introspection are now near dying art with quick fix solutions forced by brutal strength redefining conviction of what ought to be fundamental. Might was right and now right is based on might. Caught in the quagmire of what is truth and post-truth, an individual is left confused, perplexed on what to believe or accept the make believe to be the truth. Human life and worth stands stripped and devalued to its lowest denomination. The narratives are mind boggling and authenticity of facts becomes a search for statistics. A liberal world is based on freedom, transparency and respect for core human values. The pandemic has changed the world and as optics start to be visible, the philanthropist emerges from nowhere with resolve to lend a helping hand. Data becomes a black and white number and those who trudged back home went into oblivion. Empathy has become acutely scarce and acknowledgement of effort paid lip service. Is it not time now for us to seriously contemplate and act for the new world so that the principle of live and let live becomes a reality? Why do we not now benignly accept and rejoice the small blessings of our existence and celebrate the life we are living with gratitude and humility? Can the pandemic close the fault lines of fear, suspicion, hatred and intolerance and restore the dignity of every human being to live? I believe a small beginning from every right thinking human being can change the world.

As Paul Robson sang and was reminded by Dr. Bhupen Hazarika “we are in the same boat brother”, and this time the boat has to be sailing with humanity together otherwise floating questions will continue to surface sans answers.

Thajeb Ali Hazarika



THE FREE PRESS AND INDIA

KABAK REMIN, CLASS 12 (HUMANITIES)

[Freedom of speech and expression including that of print and electronic media is regarded to be the sine qua non of a liberal democratic state and society. The writer attempts an analysis and objective evaluation of the same in the context of India with a historical sketch till the contemporary times]

The news media called as 'Press' are forms of mass media that focus on delivering news to the general public or a target public. These include print media (newspapers, newsmagazines), broadcast news (radio and television), and more recently the Internet (online newspapers, news blogs, news videos, live news streaming, etc.) Media is considered as one of the pillars of the society the Legislature, Executive and Judiciary being the other.

Freedom of the press or freedom of the media is the principle that communication and expression through various media, including printed and electronic media, especially published materials, should be considered a right to be exercised freely. Such freedom implies the absence of interference from an overreaching state and legal protection of the right, with the exception of distinguished governmental information for, national security and interest. The press is considered to be the most influential medium of communication, because of its very wide horizons. Freedom of press is a vital right as not only is it an instrument of change and public opinion, but is the backbone of democracy itself. The press is responsible to make the government officers responsible and accountable by making its actions public, and act as an eye opener of the society. Hence the freedom of press performs very vital functions of the society.

Even though Freedom of expression has always been considered necessary for a democratic society, freedom of press has remained an issue that has led to endless number of debates across the democratic world in the past few decades. The objective of the paper is to analyse whether press has got real freedom and to study about freedom of press in India.

Some assumptions formed as a hypothesis for the topic are as follows: -

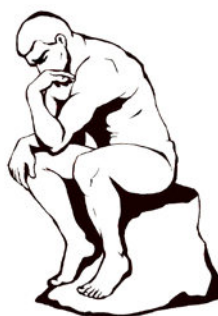
The basic idea of freedom of speech and expression is as old as the Human civilization. This statement stands proved and it was

established that after analyses and introspection of origin, concept of human right. The basic idea of human rights - Freedom of Speech and Expression is as old as the Human Civilization. The Expression through speech is one of the basic guarantees provided by civil society and is backed by a State having democratic ethos.

'Right to speech and expression is oxygen's for democracy and development for country.' Democracy may be very powerful in its own terms and conditions but is not fully efficient in working without media, especially the free press. The media acts as a bridge between the government and the people as it tends to inform people about the functions performed by the government. Other hypothesis proved further along the essay are that, Free and independent Journalism in India is stagnant and suffering, and that 'There is future possibilities for a more independent and opinionated media in India. Media will be a lot more based on social Media and networking, having both its merits and demerits.'

FREEDOM OF PRESS

The historical backdrop of the flexibility of press in India is indivisible from the historical backdrop of the patriot development. The very first signs of the press are visible in the writings and paintings on stones, woods and walls several centuries before Christ. Emperor Ashoka's edicts on stone is an example. After the invention of paper, freedom of press started getting a concrete shape in the form of state records pertaining to the messages from the spies. Letters, bringing news are considered to be the first form of newspapers and were regularly issued during the Mughal and the Hindu regime. This practice has continued until the East India Company arrived on the soils of India. In India the first reference of press can be traced to the Muslim era. The



Mughal rulers used to select efficient people and hire them for reporting to them the position of their kingdom. The wants, needs, necessities, desires, aspirations had to be reported to king by such informants. Even in those times independency of the informants (press)



Featured Art: Kidler. Image Source: <https://sweden.se/society/20-milestones-of-swedish-press-freedom/>

needed to be secured, and hence these people were directly appointed by the king. Their tenure was secured as they could be removed only by the king himself and no one else. This policy can be regarded as the foundation of free press.

The Britishers developed the concept of press to a great extent. The establishment of the system of press became more refined after the industrial revolution. In 1776 William Bolts, a former employee of the East India Company had simply expressed his intention to start a newspaper, but had to face the axe of censorship, even before he actually started the newspaper. In Calcutta the first newspaper was started in 1780 by James Augustus Hickley, an Irish person. Hickley had criticized the policies of Lady Warren Hastings, for which all printing types were immediately seized by order the Governor-General. For the first time the censorship was introduced in the year 1795. The British government exercised stringent control on the freedom of press to retain their power and to restrain the freedom movement. It is to be noted that the British Government was in the favour of curtailment of freedom to press; because it wanted to curb, prohibit and suppress the independence movement.

The Indian Constitution ensures the Press certain rights along with required restrictions. In India there is no separate law relating to the press prevails, and the same is protected under Article 19(1) (a) of the Constitution of India. Article 19(1)(a) guarantees six freedoms in all, freedom of speech and expression, to assemble peaceably and without arms, to form associations or unions, etc. The freedom of Press is however ensured by certain powers granted to the press. The Power to circulate the information is the cornerstone of freedom of press as it is through circulation that the press reaches to the masses. Another



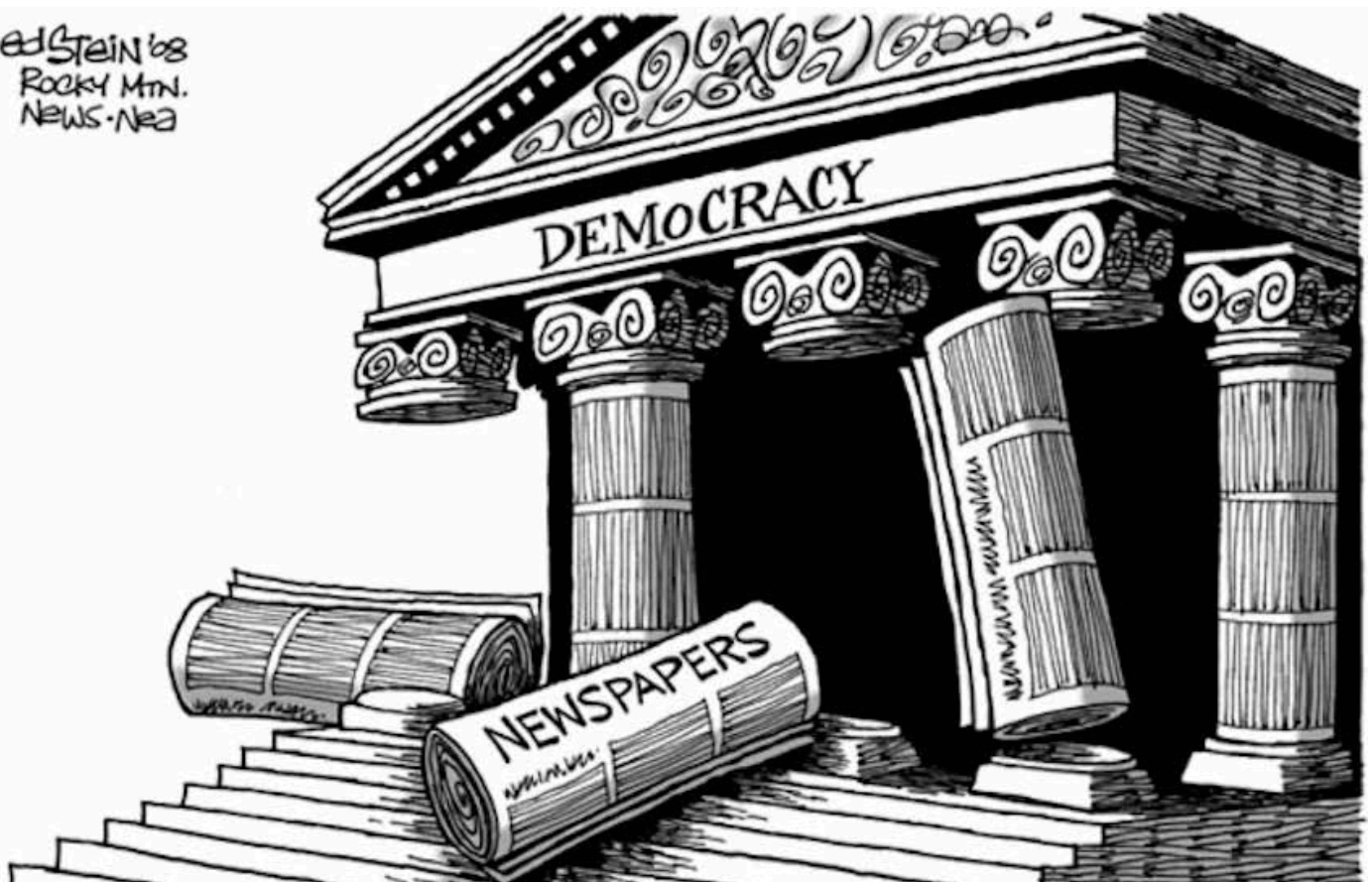
power of the press is the power to project criticism, a very potent right which is to be exercised with utmost care and caution. The press also has the power to receive information which allows the media to empower the masses by knowledge and keep them in pace with

the changing worlds.

The power of press to conduct and hold interviews is restrained by certain limitations, which give the interviewee the freedom to commence, conclude the interview as well as restrain from answering. The power to report the court proceedings which are held in the open allows the press enjoys the privilege of sitting in the press bench and also receive any information regarding any proceedings on account of the citizens right to be informed on matters of public importance. Other powers which the press enjoys the freedom to are the power to attend and report legislative proceedings, circumscribed by certain legislative proceedings, the power to act as an advertising medium and also the power to broadcast.

According to Hohfeld every right has a corresponding duty. Under the Indian Constitution right to six freedoms are enumerated in Article 19(1), and the restrictions are mentioned from Article 19(2) to 19(6). So, Article 19 simultaneously confers the right and powers to take away the right. The right of speech and expression cannot be exercised to prejudice the sovereignty or integrity of the state. The freedom of expression cannot be exercised in such a manner so as to endanger the security of the state in any way. Freedom of Press is also restrained by Public Order. Decency or morality is another ground for the state to limit the right of freedom of speech and expression. The restraint of Contempt of Court implies that the freedom of speech and expression prevails but it cannot be exercised to undo an action of the court of justice. Media can also not act upon the Friendly relations with foreign states According to the criminal jurisprudence incitement and abetment to an offence is an independent offence itself.

Ed Stein '68
Rocky Mtn.
News-Net



Feature image by Ed Stein. Image Source: <https://cjp.org.in/media-under-modi>

Another required restraint to the freedom of Press in India is implied by the creation of Press Commissions. After 1947 the need was felt that the state of the press should be examined by an authority. With this object the Press Commission was appointed in India. This Press commission had to scrutinize the structure, the organs, powers and functions of the press and had to submit the report to the parliament. Therefore, one can say that, the right to free press prevails within the four corners of reasonable restrictions mentioned in Article 19(2) of the Indian Constitution.

The right to speak freely is regarded fundamental yet the press confronts numerous cases of troubles. In just five years under Prime Minister Narendra Modi, India's place in Reporters Without Borders' press freedom index has dropped to 142nd in 2020 from 136th in 2015. India falls behind most of its neighbours, including Myanmar (139), Afghanistan (122), Bhutan (67), Nepal (112), and Sri Lanka (127).

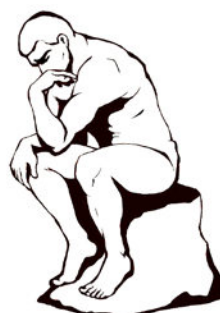
On May 11, 2020, Dhaval Patel, editor of the Gujarati news portal Face of Nation, was detained and booked with sedition for writing about the change in Gujarat's political leadership by the BJP after the state's rapid rise of coronavirus cases. Similarly, the South Asia

Media Defenders Network (SAMDEN) writes that the Uttar Pradesh administration filed a FIR against journalist Ravindra Saxena from Today-24 on May 18 for reporting on the mismanagement and negligence at a quarantine centre in Sitapur district.

In Himachal Pradesh, 10 FIR cases have been filed against at least six journalists for their reporting on India's migrant crisis and the lack of food distribution in the area. Journalism in India remains a risky pursuit. India ranks 13th among countries where journalists are murdered and their killers go free, according to the Committee to Protect Journalists' 2019 Global Impunity Index. It has been on the index for the last 12 years. Despite more than 150,000 cases of coronavirus, India has suspended daily press briefings on the pandemic since May 11, 2020, for unexplained reasons.

Women often bear the brunt of threats while reporting on the crisis. The Coalition of Women in Journalism documented 145 threats and intimidation against women journalists from January 2020 to April 2020 globally. India had the third highest cases of intimidation against female reporters.

For much of Modi's first five years in



office, his government seemed to get a free pass from the country's pliant media. In each of these cases, mainstream media—especially the country's influential TV news channels—functioned largely as government mouthpieces, with only a few exceptions. One way in which the government exerts control over domestic media is through advertising. Senior executives of prominent English-language newspapers and opposition leaders contend that the ad freeze was retaliation for news reports critical of the government. According to a Reuters report, these newspaper groups—the publishers of the Times of India, the Hindu, and the Telegraph—have a combined monthly readership of more than 26 million.

According to the RSF, a major reason for India's low press freedom index has been the government's



Photo: iStockphoto. Image Source: <https://www.livemint.com/Opinion/dlMG9NRYJ4y9XIJEpwtfJL/Fake-News-The-dangers-of-leashing-the-free-press-in-India.html>

shutdown of the internet in the Jammu and Kashmir after rescinding its semi-autonomy in August 2019. The International Press Institute, another journalism watchdog, recently called Kashmir one of the “world's most repressive spots for the press. Article 370 of the Indian constitution gave special status to Jammu and Kashmir. Article 35A of the Indian Constitution was an article that empowered the Jammu and Kashmir state's legislature to define “permanent residents” of the state and provide special rights and privileges to those permanent residents. The government shutdown the Internet services as well as any form of anti-government publication, due to the outraged reaction of the public.

While no established benefits of internet shutdowns on the security and stability of the environment of an area have been seen, shutdowns have had an extremely negative impact on the economic workings



Featured Art: Satish Acharya. Image Source: <https://twitter.com/satishacharya/status/1253230028633985031>

and developments of an area due to hindered communication and internet services. Due to the shutdown, the power of media houses was crippled because they were no longer authorized or able to publish information. The government countered these attacks by highlighting the damaging effect of social media as “modern terrorism relies heavily on the internet” and its restriction is essential for maintenance of law and order within the valley and the nation. In the absence of a fearless media, the insistence of “normalcy” was to be remained unchallenged. These were to be seen as merits of the shutdown as presented by the government.

In April 2020, three journalists, Peerzada Ashiq, a senior reporter with The Hindu; Masrat Zahra, a freelance photojournalist; and Gowhar Geelani, a freelance columnist, author and former editor for Deutsche Welle, were charged within 48 hours for their reporting on Kashmir. The Editors Guild of India decried these actions as a “gross misuse of power,” with the only purpose of the FIRs to “strike terror into journalists.”

In response to its falling press freedom index, the Indian government has set up a new Index Monitoring Cell. On the World Press Freedom Day, Information and Broadcasting Minister Prakash Javadekar tweeted that the media in India “enjoy absolute freedom” and took a dig at the index, stating that “we will expose, sooner than later, those surveys that tend to portray bad picture about ‘Freedom of Press’ in India.”

The upcoming age of near-total surveillance is going to make finding whistle-blowers

and retaining anonymous sources even harder, and will also make it even easier for the powerful to prevent news from reaching the public at every stage of its dissemination. The data age will provide new opportunities for journalism, as more things become measurable. The future will bring more personalization, more cross-media consumption, more experiences, challenges, points of view and voices. It will also require more skills, creativity and empathy.

Ultimately, journalism is not about technology or finance, but about people. If people can be tricked into believing they don't need a free press, or if algorithm-enabled totalitarianism overwhelms democracy, or if humankind somehow loses the fundamental desire for liberty and choice, the future of press freedom is indeed bleak. But the freedom of the press was never easily won or handed over; it has ever emerged out of struggle and evolution, both of which are absolute inevitabilities in our future.

CONCLUSION

In words of the Father of the Nation Mahatma Gandhi, "The role of journalism should be service. The Press is a great power, but just as an unchained torrent of water submerges the whole countryside and devastates crops, even so an uncontrolled pen serves but to destroy."

The freedom of speech and expression inclusive of freedom of press has secured a coveted place in the chapter of fundamental rights in the Indian Constitution. The importance and significance of the press is profound, being considered as the fourth estate of the democracy. In fact, the freedom of press reflects the credentials of democracy.

The press performs a twofold duty because on one hand it communicates to the government the mood, aspirations, thoughts, and needs of the people; and on the other hand, it communicates to the society the intentions, actions, and measures of the governments to the people. The press is considered to be the most effective medium, to feel the pulse of the society and communicate it to the government.

Some restrictions are placed on this right as well. The right to speech and expression prevails within the demarcation of restrictions placed under Article 19(2) of the Indian

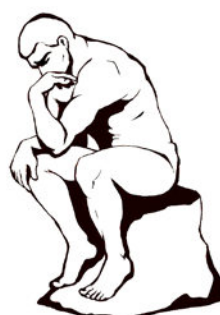
Constitution. The government by various statutes, orders, regulation has tried to clip the wings of the press. Sometimes it also happens that in its over enthusiasm, the press goes beyond its prescribed arena and then the judiciary has to reprimand it, not to overstep its limitations.

It ranks poorly at 138th rank out of 180 listed countries in the Press Freedom Index 2018 released by Reporters Without Borders (RWB). Analytically India's press freedom, as could be deduced by the Press Freedom Index, has constantly reduced since 2002, when it culminated in terms of apparent freedom, achieving a rank of 80 among the reported countries. In 2018, India's freedom of press ranking declined two places to 138. In explaining the decline, RWB cited growing intolerance from Hindu nationalist supporters of Indian Prime Minister Narendra Modi, and the murders of journalists such as Gauri Lankesh.

Thus, we can conclude that the time has come for the press of largest democracy of the world to work with hand-in-hand with judiciary for the welfare of its subjects. The day is not far away when there will be no eclipse of injustice & the sun of justice will shine brightly forever.

BIBLIOGRAPHY

1. Basu, Dr Durga Das, Case Book on Indian Constitutional Law, 2nd ed. (2007), Kamal Law House, Kolkata.
2. Pandey, J. N., Constitutional Law of India, 42nd ed. (2005), Central Law Agency, Allahabad.
3. Indian Express Newspapers v/s Union of India AIR 1986 SC 515.
4. <https://www.readersdigest.in/conversations/story-the-future-of-press-freedom-125143>
5. <https://www.bbc.com/news/world-south-asia-12557390>
6. <https://foreignpolicy.com/2019/08/02/indias-media-cant-speak-truth-to-power-modi-bjp-journalism/>
7. <https://www.thehindu.com/opinion/lead/freedom-of-the-press-and-journalistic-ethics/article2071551.ece>
8. https://shodhganga.inflibnet.ac.in/bitstream/10603/173762/9/09_chapter%202.pdf
9. https://rsf.org/en/ranking_table



THE RIGHT TO DISSENT AND THE PUBLIC SAFETY SECURITY ACT IN INDIA : CASE STUDY OF A DETAINEE

AKHIL GOGOI

SRISHTI BARUAH
CLASS 12 (HUMANITIES)

[Can a Democratic State assume the menacing proportions and form of the Leviathan? Are laws against free speech and expression out rightly Draconian? The writer attempts to tackle search questioning with utmost clarity while examining laws and the case study of an individual under trial for challenging the State using the medium of free speech]

RIGHT TO DISSENT

Dissent is the quintessential part of democracy and involves the exercise of individual and collective rights of expression, association, and assembly, without fear of intimidation. The Constitution of India, under clauses (a) to (c) of Article 19(1), promise: (a) freedom of speech and expression; (b) freedom to assemble peacefully and without arms; and (c) freedom to form associations or unions. These three freedoms are vehicles through which dissent can be expressed. The very essence of democracy is that every citizen has a right to express his views even if they are totally contrary to the views of those in power. No doubt, these views must be expressed in a peaceful manner but citizens have a right to get together and protest when they feel that actions taken by the government are not proper. Their cause may not always be right but their right to dissent has to be upheld at all times.

PUBLIC SAFETY AND SECURITY ACTS IN INDIA – AN OVER VIEW OF ACTS IN EXISTENCE

Preventive Detention Act, 1950: The Preventive Detention Act of 1950 was enacted within a month after the Constitution of India came into force. While originally enacted for

only one year, it was renewed year after year until 31 December 1969.

Maintenance of Internal Security Act (MISA), 1971: MISA was a controversial law passed by the Indian parliament in 1971 that gave the administration of Prime Minister Indira Gandhi and Indian law enforcement agencies very broad powers – indefinite preventive detention of individuals, search and seizure of property without warrants, and wiretapping. The law was amended several times during the subsequently declared national emergency (1975–1977) and used for quelling political dissent. The 39th Amendment to the Constitution of India placed MISA in the 9th Schedule to the Constitution, thereby making it totally immune from any judicial review. MISA was repealed in 1977 following the election of a Janata Party-led government while the 44th Amendment of 1978 removed MISA from the 9th Schedule .

Featured Art: Amnesty International, India. Image Source: <https://amnesty.org.in/take-action/defend-peaceful-protests-defend-indias-right-to-dissent/>



Jammu and Kashmir Public Safety Act, 1978: The Jammu and Kashmir Public Safety Act, 1978 is a preventive detention law under which a person is taken into custody to prevent them from acting harmfully against “the security of the state or the maintenance of the public order” in the Indian state of Jammu and Kashmir. It was introduced by the then Chief Minister, Sheikh Abdullah, to ostensibly stop the smuggling of timber. However, the political motives behind the law became clearer

when Sheikh Abdullah used it for the first time against political rivals.

National Security Act, 1980:

The National Security Act of 1980 extends to the whole of India and contains 18 sections. This act empowers the Central Government and State Governments to detain a person to prevent him/her from acting in any manner prejudicial to the security of India, the relations of India with foreign countries, the maintenance of public order, or the maintenance of supplies and essential services.

Terrorism and Disruptive Activities (Prevention) Act (TADA), 1985:

TADA was an Indian anti-terrorism law which came into force in 1985. The law gave wide powers to law enforcement agencies for dealing with national terrorist and 'socially disruptive' activities. The Act contained provisions violating human rights and was allowed to lapse in 1995 due to increasing unpopularity after widespread allegations of abuse.

Prevention of Terrorism Act (POTA), 2002:POTA was passed by the Parliament of India in 2002, with the objective of strengthening anti-terrorism operations. The act provided that a suspect could be detained for up to 180 days without the filing of a chargesheet in court. However, unlike TADA, this act had no provision to allow preventive detention. The Act was repealed in 2004 amidst public outcry against its misuse.

National Investigation Agency (NIA) Act, 2008:The NIA Act was passed in 2008, less than a month after the Mumbai terror attacks. It sanctioned the formation of a central agency – the National Investigation Agency – to probe terror cases in any part of the country. It authorized setting up of Special Courts to prosecute cases. Under NIA proceedings (like TADA previously), the identities of witnesses can be kept secret, which forecloses cross-examination on behalf of defendants. This makes the trial patently unfair. The NIA Act was amended in 2019 conferring even greater powers to the NIA.

Unlawful Activities (Prevention) Act (UAPA) Amendment, 2019:The original objective of UAPA, enacted in 1963, was to make powers available for dealing with activities directed against the integrity and sovereignty of India. However, over the years, UAPA has undergone several amendments (in 1967, 2004, 2008, 2012 and 2019) to serve as an omnibus preventive detention law. The amended UAPA made changes to the definition of 'unlawful activity' to include the definition of 'terrorist act' and 'terrorist organization' from the repealed POTA. The

most recent amendment in 2019 expanded the ambit of UAPA allowing the government to designate an individual as a terrorist without trial.

The misuse and abuse of public safety and security acts in India:

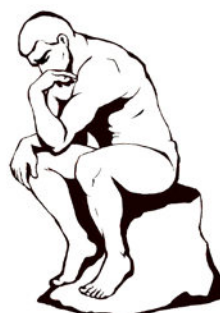
These public safety acts, while seemingly present to protect national security, in effect vest unchecked powers in the police to circumvent due process that has been established to protect citizen's right to fair trial. These laws place the onus of proving innocence on the accused which is a breach of natural justice. In principle, they operate as preventive detention laws, even criminalizing intentions, beliefs and thoughts of a person, which is ethically unjustified.

India has a chequered history of using these public safety and security acts for government crackdown on dissent. These acts facilitate the state in acting arbitrarily and arresting anyone it views as dangerous and serve as a conduit of doing away with the requirement of civilized jurisprudence. These are a breach of international human rights laws and their misuse and the failure of the judiciary to prevent such blatant abuse has contributed to the widespread fear and alienation felt by certain sections of people in the country.

Detainees do not have any other means of legal redressal besides filing a habeas corpus petition in the court, since the law does not provide for any judicial review and the advisory board meant for the purpose of hearing complaints scarcely functions. A very large chunk of these habeas corpus petitions result in the orders for detention getting quashed (since the grounds of detention are vague), but the court proceedings take time and in that interim period a number of criminal cases are filed against the detainee. Sometimes almost as soon as the order is quashed, another preventive order is served. In such revolving-door detentions, the detainee is not even released. He is taken from the jail to the Interrogation Centre until a fresh detention order is issued and he is back in jail.

AKHIL GOGOI

Akhil Gogoi is an Indian peasant leader and popular activist from Assam. He is the founder of Krishak Mukti Sangram Samiti (KMSS), a peasant organisation that has been in the frontline defending rights of landless peasants, rural and urban poor. KMSS has launched mass movements demanding resettlement



of flood victims and tribal people from forest villages by securing land and forest rights. It works for protection of the environment and has led a sustained campaign against construction of big dams in ecologically sensitive areas that threaten the lives of thousands and destruction of flora and fauna.



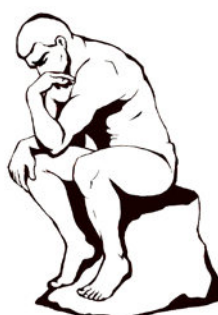
Photo: Nurphoto Via Getty Images. Image Source: https://www.huffingtonpost.in/entry/akhil-gogoi-assam-most-confusing-powerful-activist_in_5e1a8d19c5b6da971d171195

Over the years, Gogoi has carried on a relentless fight against corruption and has exposed several big scams involving Ministers. Gogoi came to national limelight when he was awarded the Shanmugam Manjunath Integrity Award in 2008 for his fight against corruption. In 2010, he was awarded the national Right to Information Award by Public Cause Research Foundation. Gogoi has established farmers cooperative and retail outlets that connect peasantry to urban markets directly, as an alternative to FDI in retail. Gogoi's popularity amongst masses is reflected in his ability to mobilize people to resist state injustices, peacefully and fearlessly.

Akhil Gogoi's tryst with detention

Akhil Gogoi's first tryst with law had begun way back in 2011 when he had been arrested for allegedly instigating violence after he led a mob in Dispur against alleged eviction around Guwahati hills. The present saga of his illegal detention revolves around the anti-Citizenship (Amendment) Act (CAA) movement. The CAA was perceived as an attempt at changing Assam's demography and thus threatening the cultural identity and political rights of the Assamese in their own homeland. Gogoi was able to mobilise the masses to challenge the act that was deemed to be violative of the Indian Constitution and the Assam Accord.

It all started with his arrest under NSA in September, 2017. KMSS moved the High Court challenging his detention under NSA. The Gauhati High Court subsequently quashed the detention order. His recent ordeal of continuous detention began



with the National Investigation Agency (NIA) arresting him under the stringent Unlawful Activities (Prevention) Act (UAPA) amid protests over the Citizenship (Amendment) Act in the second week of December, 2019. The peasant leader was initially arrested on December 12 by

Assam Police and was later handed over to the NIA. On December 17, a special court of NIA in Guwahati sent Akhil Gogoi to 10-day NIA custody. The investigation agency had registered a case no 13/2019 under section 120 (B), 124 (A), 153 (A), 153 (B) of IPC and section 18, 39 of UAPA.

However, they failed to charge sheet him within the mandatory period of 90 days and thus; Gogoi was granted bail on March 17, 2020 by Special Judge NIA. Immediately, the Sivasagar Police rearrested him in a case registered a year back. He was taken by Sivasagar Police on March 19, 2020 and kept under four-day police custody. On March 26, Gogoi was granted bail in another case by the Panbazaar police station. The case had been registered in January this year in relation to anti-CAA protests and was investigated by NIA. Again, before his release upon receiving bail in Sivasagar station, Dibrugarh district's Chabua police station arrested him on March 28 in another case and that too without physically producing him before courts. It is worthwhile to mention that the government's advocates did not bother to inform the court about these other cases lodged against Akhil Gogoi.

In the meantime, the NIA preferred a criminal appeal before the Gauhati High Court against the bail order given by Special Judge. The High Court stayed the operation of the bail order dated March 16, 2020 and the matter was referred to a Full Bench on the point of maintainability of the Appeal. However, the full bench has not met to date and, as a result, Gogoi continues to be under detention.

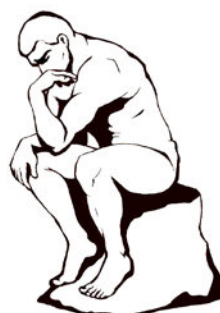
CONCLUSION

Benjamin Franklin had observed - “Justice will not be served until those who are unaffected are as outraged as those who are.” This continuous detention of social activist Akhil Gogoi, through repeated arrests since December 12 last year, is a major concern for all who believe in rule of law being a major component of Indian democracy. Civil society has expressed its indignation about the consequences of such executive tactics for Indian democracy and has deplored the way norms of natural justice have been circumvented to detain Gogoi in one case after another, rendering respective bail orders ineffective. It was clear that the repeated arrest of Gogoi was intended to enable the government to keep him in custody without any trials. As a result, he has been deprived of his right to personal liberty. This practice of re-arresting the accused in old cases, when the charge sheets could not be filed in any major charges, is an attempt at circumventing the judicial scrutiny of executive actions. It is, of course, a gross violation of the norms of natural justice. The higher judiciary needs to intervene to protect the human rights of all activists who suffer such injustice. If attempts such as these are made to stifle the right to criticize the executive, the judiciary, the bureaucracy or the Armed Forces, the country will soon become a moribund police state instead of a vibrant democracy that was envisioned by the founding fathers of our nation.

BIBLIOGRAPHY

1. <https://thewire.in/law/right-to-dissent-constitution-justice-deepak-gupta>
2. <https://iasgateway.com/right-to-dissent-a-core-principle-of-democracy/>
3. Harding, Andrew; Hatchard, John (1993). Preventive Detention and Security Law: A Comparative Survey. Martinus Nijhoff Publishers. pp. 61-. ISBN 0-7923-2432-3.
4. M K, Rakesh; Chatrath, Dhruv (3 May 2018). “Detention without a crime”. The Statesman. Retrieved 21 August 2020
5. Devi, B. Uma (24 February 2012). Arrest, Detention, and Criminal Justice System: A Study in the Context of the Constitution of India. Oxford University Press. ISBN 978-0-19-908863-8
6. https://en.wikipedia.org/wiki/Jammu_and_Kashmir_Public_Safety_Act,_1978
7. https://en.wikipedia.org/wiki/Maintenance_of_Internal_Security_Act

8. [https://en.wikipedia.org/wiki/National_Security_Act_\(India\)](https://en.wikipedia.org/wiki/National_Security_Act_(India))
9. Ganguly, Sumit; Diamond, Larry; Plattner, Marc F. (13 August 2007). The State of India’s Democracy. JHU Press. pp. 130 – ISBN 978-0-8018-8791-8.
10. Saxena, Priti (1 January 2007). Preventive Detention and Human Rights. Deep & Deep Publications. pp. 99 – ISBN 978-81-7629-992-3.
11. <https://thediplomat.com/2016/10/india-uses-public-safety-act-for-its-crackdown-on-dissent/>
12. <https://thewire.in/government/public-safety-act-kashmir>
13. <https://theleaflet.in/law-regulates-but-politics-governs-the-sad-case-of-akhil-gogoi/#>
14. [https://en.wikipedia.org/wiki/Unlawful_Activities_\(Prevention\)_Act](https://en.wikipedia.org/wiki/Unlawful_Activities_(Prevention)_Act)
15. <https://thewire.in/law/in-illustrations-a-brief-history-of-indias-national-security-laws>
16. Current Trends in Indian Politics. Deep & Deep Publications. 1 January 1998. pp. 115-. ISBN 978-81-7100-798-1.
17. Singh, Ujjwal Kumar (6 January 2009). Human Rights and Peace: Ideas, Laws, Institutions and Movements. SAGE Publications. pp. 246-. ISBN 978-81-7829-884-9.
18. https://en.wikipedia.org/wiki/Akhil_Gogoi
19. <https://web.archive.org/web/20120323021327/http://www.assamtimes.org/hot-news/1272.html>
20. <https://web.archive.org/web/20120304010606/http://www.assamtribune.com/scripts/details.asp?id=nov2909%2Fat09>
21. <https://theprint.in/india/ia-arrests-rti-activist-akhil-gogoi-amid-assam-unrest-charges-him-under-amended-uapa/335484/>



Criminal Politician Nexus – The End of Vikas Dubey

KARMA TSETSEN THONDUP CHAMLING

CLASS 12(HUMANITIES)

[The state of Uttar Pradesh and its utter state of brazen lawlessness with criminals enjoying political patronage and a free run is boldly highlighted ab initio by the writer as the dark underbelly of Indian politics is exposed and laid thread bare]

India has witnessed cardinal development in vital sectors and a drastic rise in our economic, militaristic, and global power. On the domestic front the health of our polity and politics when analysed reveals the dark underbelly of law-breakers and the unholy nexus with the law makers. The heartland of India, Uttar Pradesh saw the end of one of its most dreaded criminals, Vikas Dubey recently. The Vohra Committee Report on politician- criminal nexus had warned about such possibilities years earlier.

The politics in India is supposed to work according to the framework of the constitution. But, Politics in our country is a widespread emotional, religious, mental game. In general everyone has a common question or even a thought, 'Why would any individual take politics or take politics as a profession?' Very few come with a progressive mind, others come with nepotism or family lineage. The most underlying interest is to make a clean reputation from the criminal background and create a safe passage.

In India, tenure for any political post is five years. Since the reign of Indira Gandhi in the 70s to date to the Modi era, along with the various developments, even the problem of illegitimate nexus of politician and criminal has managed to seek to the top. In simple words, the intertwining relation the politician has with the criminal world and vice versa.

'The Hindi Heartland, ' Uttar Pradesh is the most populous state in India and subdivision of a country in the world. Uttar Pradesh, due to its population, has an enormous number of Lok Sabha Constituency (80 seats). Having the potential for being the primary battle arena for the Prime Minister elections, Uttar Pradesh has become a prime focus for all the national political parties. They view it as a heaven for votes. Politics in UP is not like anywhere else. To understand the politics of



UP, one needs to understand the caste system.

India is known for its diverse culture, a secular country with many religions. UP has a majority of Hindus



Featured Art: Debasish Deb. Image Source: <https://www.iastoppers.com/criminalization-of-politics-in-india-mains-article/>

(79.72%) followed by Muslims (19.26%). The majority being Hindus, the population is divided into many castes; the major one being Yadavs, Brahmins, Dalits, Thakurs, and Rajput. The bond between an individual and people belonging from the same cast is intact; emotionally attached. Taking this to an advantage, the politicians play politics based on caste, indirectly dragging religion for ones benefit.

Interestingly, due to the divided castes, a mafia chain has been formed. The caste-based mafia has become a vote bank. The history of the mafia of UP is counterintuitive. Stereotypical

thinking would be, a caste which is in power has given birth to many powerful mafias. But in contrast, it is the opposite in UP.

For example, when there is a Yadav government, there will be a rise in other caste mafias. The reason being, since the Yadavs are in power, the people belonging to that caste can do their dirty work and earn through the government. The sentiments of the whole caste are attached. The dominant caste in power goes all out to uplift their people and villages and towns with their caste majority whereas, other castes face discrimination and get less opportunity.

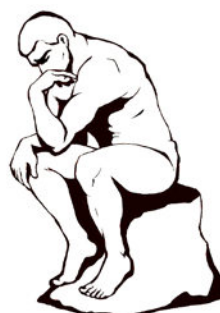
This creates a huge vacuum for the minority section of the society, wherein the challenging situation faced by the section of the people gives rise to crimes in order to survive within the community, the survival of the fittest becomes the main motive where the young frustrated minds get exploited in the hands of manipulators giving rise to gangsters which ultimately breeds violent shaping up as a vicious criminal minds to have an authoritative say in the system. Hence, this forms the main bridge for the Criminal Politicians Nexus.

Leading the population race, UP has seen a sporadic rise in politicians. Power with a family lineage of their caste planting them up. Most of them or dependent



Photo: The Print. Image Source: <https://theprint.in/trawling-twitter/don-dubey-encounter-a-death-foretold-dead-mens-tales-dodgy-plots-lost-secrets-more/458256/>

on gangsters by building fear and pressure on the voters. Very few politicians in UP have a clean sheet and work for the overall community barring the cast system. For any politicians to win in UP, it is impossible to win unless they tap the gangster. Through this channelization the mafias manage to climb



and create a passage for their career as politician To decipher the Nexus we can take an example of the Vikas Dubey Case. Before talking about the case itself, we need to understand the background, root cause, join the dots, and understand the chronology.

Vikas Dubey was a gangster from the Bikru Village. He was on a verge of criminal-turned-politician transformation. He was preparing for contesting the Uttar Pradesh Assembly election 2022, from Raniya assembly constituency. Due to his criminal background, it set a strong foundation for him.

Over the years, his influence was spread in dozen of villages with over 1 lakh voters. This made him a vote bank for political parties, making powerful connections; in exchange for protection from the law. This is why he got bailed several times though around 150 cases were registered on his name.

As a result, in the year 2001, Vikas Dubey was a prime accused of the murder of State Minister Santosh Shukla inside the Shivli Police Station. Dubey had instilled the people with much of terror that even the policemen present during the murder refused to give witness statement against him. Dubey was acquitted for lack of witness and absence of evidence. This shows his influence and ties with the politicians because it would be very difficult to get free from the charges of murder of a Minister, a cabinet member of the UP Government!

In the year 2017, Dubey was booked under the Gangsters Act and Anti-Social Activities (Prevention) Act. He challenged the arrest to the high court and managed to secure an order of no coercive action against him.

The reason behind the rise of Vikas Dubey is his caste. He belonged from a Brahmin family. He was also known as Vikas Pandit or simply Pandit. There were many brahmin mafias like him example Hari Shankar Tiwari.

Tables turned for Dubey on 2nd of July followed by a series of arrests and shootouts. The events that took place are given in a chronological error. A timeline of events is worth recalling. 2nd - 3rd July: A corps of police raided his house in Chaubeypur. Pre-informed, Dubey's young recruits fired at the police. 8 police were killed and several injured. Prem Prakash Pandey (Uncle) and

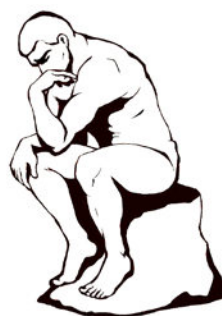
Atul Dubey (Cousin) were shot dead. Vikas Dubey escapes. 4th July: Dubey's accountant Jay Vajpai is arrested. 5th July: Dubey's henchman Daya Shankar Agnihotri is arrested. 7th July: SSP Anant Dev (DIG of STF) is sent to punishment posting because he had not taken any action after Mishra's letter. He was complicit with Dubey.

8th July: Vinay Tiwari (SHO of Chaubeypur), who diluted Dubey's charges got removed. Police kill Amar Dubey, a henchman of Vikas Dubey. Vikas Dubey is spotted in a Hotel in Faridabad. 9th July: 2 more henchmen of Vikas Dubey is encountered. Vikas Dubey is spotted in Mahakal Temple in Ujjain. He shouted that he is 'Vikas Dubey, Kanpur wala.' He gives himself away to the Madhya Pradesh police. 10th July: Vikas Dubey is killed by the police. Two videos of Dubey went viral where he claimed to have the support of 2 BJP MLAs and an Assembly Speaker.

Critically analysing the events, we know that most of the henchmen of Dubey were from Brahmin family including the police who diluted his charges. Adding on, it is made very clear that even the high ranking police officers gave their patronage to Dubey.

The encounter of Vikas Dubey itself is very controversial. The police claim that on 10th July, 7 am, near Barra Area, Kanpur, the car in which Dubey was seated meet with an accident. The car skid in the rain and Dubey along with few of the STF personnel got injured. Taking the opportunity, Dubey snatched a rifle from the STF team and open fired at the police personals. Retaliating, the police shot Dubey and got injured. After the mishap, Dubey was rushed to the hospital, where he was declared dead.

The picture of the scene where the car had crashed and toppled, the whole incident overall is very sceptical. First of all, the car Vikas Dubey was put in was different from the car shown in the accident. Second, the car seemed toppled very cleanly. Usually, the car suffers extra damage in an accident when it flips to the side, whereas the police car has negligible damage. Third, the police claim that Vikas Dubey snatched their rifle. The question that arises is, wasn't a dangerous criminal like him handcuffed? Wasn't he under proper security that it is it easy for him to escape with a gun! Fourth, the police had stopped all the media half an hour before Dubey's encounter. Fifth, the local from that place did not witness any accidents and just heard gunshots. Lastly, it is very



humorous that most of the encounters that our police do have the same story. A car meets with an accident and the fugitive runs away with a weapon.

In conclusion to the case, taking all the shreds of evidence, one can say that the police operated a fake encounter on Vikas Dubey. People who support the encounter may say to be slain or it would take a long time in the court for his criminal trial because the judiciary system is very slow in our country.

On the other hand, if Vikas Dubey was caught, a lot of politicians, officers, and businessmen would have been exposed. Due to his gangster background, he knew many big confidential secrets of the high-rank politicians. If he were to be caught, most of their career would be at stake. Thus, faking an encounter was the best option for them. Their secrets would remain buried for one life.

Vikas Dubey's case clearly shows the Political Criminal Nexus in UP, and it does imply to rest of India as well. The only solution for high ranks is to remove the stone that is blocking their path to proceed further in their so-called career; they take advantage of the police to fake encounter. Such encounters even result in the killing of innocents, homicide.

The main reason for Vikas Dubey's rise was his caste. If one flips the pages of the history and see the list of Chief ministers of Uttar Pradesh, the answer lies there. The last Brahmin Chief Minister was N. D Tiwari in 1983. For last 32 years, UP has not seen a Brahmin CM. This resulted in the rise of Brahmin mafias. Most of the henchmen of Dubey that I named above are brahmin including Vikas Dubey himself. Due to this, he got emotional backing from his caste as well.

In India, Lok Sabha is the most powerful parliament. It plays a very important role in electing the political head of the country, the Prime Minister. We expect the MPs we have chosen to be well versed about situations, visionary, and humble. In contrast, every election shows an alarming increase in MPs with criminal records. Lok Sabha has 543 seats out of which 233 MPs (43%) are convicted with serious criminal charges. Out of which 29% of the cases are related to murder, attempt to murder, rape, a crime against women. So are such MPs fit to govern India?

This is the other sign of the nexus. Here, instead of criminals facing proper trial and

consequences, they are turning into politicians. There might be so much more gangsters that the politicians have given patronage to just for vote bank.

To bring the nexus into control for a healthy and harmonious political environment, the centre has to take some major steps.

Uttar Pradesh itself is the size of many states combined with 3 triple the population of all. It becomes hard to govern a big and populous state like UP. Most of the Chief Ministers of UP excluding two, have failed to completed their full tenure. They govern hardly for 3 years and resign from their post. A pure sign for political instability due to the caste vote system. Such things show the struggle for a CM along with cabinet to govern millions at once. Adding on, the capital Lucknow is too far away for the citizens to reach. This creates a communication gap between the government and the people. Due to this only the areas, towns, and villages near the major city, and the capital progress; leading to unequal development of the state. The poor remains poor, the rich get richer.

The best solution for Uttar Pradesh's problem is to divide the state. UP has an unfairly enormous number of MPs; causing an imbalance in national politics. It has a population of Pakistan at 1 third size of Pakistan's land. It is a densely populated state. And due to political instability, crime UP is a very poor state (less per capita income).

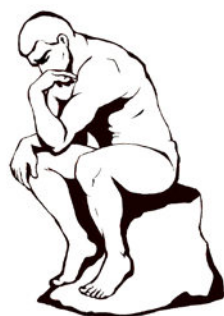
Uttar Pradesh can be divided into ideally 5 states in the following ways:

1. Western UP as one state.
2. Bundelkhand area of Madhya Pradesh and Uttar Pradesh should be merged forming a state with Jhansi as a capital.
3. The central UP with Lucknow as its capital.

The eastern UP should be divided into the following states:

1. One with Gorakpur as its capital
2. One with Varanasi as its capital.

In this way, Uttar Pradesh will be segregated into a far more governable state. Dividing will have many positive impacts. The government will be far more approachable. Likewise, the communication gap will be filled. It will help the entrepreneurship to grow, increasing employment. The best point, each state will have focused growth development. That will improve the facilities of the state. Overall,



people will get more opportunities.

Breaking the caste vote system in UP will play a huge role in national politics. All the major castes vote will be separated throughout the new states. The Political Criminal Nexus in UP will break to a large extent.

In a bigger picture, India needs to implement some changes to heal the wounds of the dirty politics and faulty administration.

The Indian Constitution has 3 pillars, Legislative, Executive, and Judiciary. All the three works in a 'checks and balance system.' This helps the power control of each pillar. Looking at the current scenario of the Nexus, one can spot judiciary to be the weakest pillar. To strengthen the judiciary, first, the government needs to fill all the vacancy of the judiciary sector in India. There is almost a 40% vacancy. India is short of judges and this piles up the cases and justice is not delivered on time.

Furthermore, the police department needs major recruitment. UN recommends that there should be 222 police for 1 lakh people. But in India, there is only 144 police per 1 lakh people. The shortage of police needs to be filled to maintain law and order. Adding on, the police has become a puppet of the government. Police need to be made a more independent body. A more chain free police can work better.

To sum up the political criminal nexus of India should be seriously condemned by the Indian government so that the general mass is aware of their fundamental rights to bring about a strong change within the community, generation so as to sanitize the system, there about the voice raised by the people at large is not over shadowed by any upcoming criminal nexus. It is responsibility of the major national parties to identify the leadership they create for the major development of the country because the leaders of today will create a generation of successful visionary leaders for the better advanced and developed INDIA.

BIBLIOGRAPHY

1. <https://indianexpress.com/article/india/vikas-dubey-killing-supreme-court-hearing-uttar-pradesh-6514606/>
2. <https://www.thehindu.com/news/national/other-states/up-govt-denies-before-supreme-court-vikas-dubey-was-killed-in-fake-encounter/article32114784.ece>

Kashmir: Article 370 and After

MESAM MARBIANG LALOO CLASS 12 (HUMANITIES)

[Regarded as a master stroke by Prime Minister Modi, the abrogation of Article 370 from Jammu and Kashmir and its ramifications is assessed in detail by the writer encompassing the achievements as well as apprehensions]

Article 370 of the Indian constitution stated that people of Jammu and Kashmir will enjoy special rights or rather to give them a special status. As known, Jammu and Kashmir, as always has been an area of conflict between India and Pakistan, each country claiming it fully to be theirs. This conflict has become a major issue since decades and not a problem which was caused just a few years back. Jammu and Kashmir was a princely state and joined India in 1947 after India's independence. These two countries have been fighting over it subsequently and have each come to control different parts of the territory with a "ceasefire line" agreed. The root cause is the separatist insurgency against Indian rule and proxy war launched by Pakistan from the other side with man and material support.

In August 2019, signs were showing something was going to happen: there was a shutdown in network services, religious pilgrimage of the Hindus was cancelled, and regional political party leaders were put under house arrest. However these were something minor and not as impactful as the scrapping off of the article 35(A) or rather the special status of the Kashmiris to be removed and they were to enjoy the rights as people of other parts of India are enjoying.

The reason why this specific article is so significant to the Kashmiris is because under such an article, Jammu and Kashmir were given a special system of autonomy which is, they could have a flag of their own, it could legislate its own laws and most important of all, it could have its own constitution. However, it was not entitled to legislate all laws or do anything it wanted. Powers under defence, communication were not given to them and would still be controlled by the central government. Interestingly, it could make laws with respect to land ownership and permanent residency. They are allowed to restrict people from outside the state

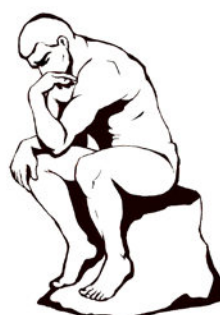
to buy land there. To be noted, Article 35(a) falls under article 370. Surprisingly, under article 370, the Centre could not declare financial emergency in Jammu and Kashmir but it can do so, in case of war or external aggression. Article 370, therefore has played a major part in preventing Jammu and Kashmir from becoming an integral part of the Indian union.

HISTORY AND BACKGROUND

The history of the article 370 of the Indian constitution tells us that the man behind it was Sheikh Abdullah who was then appointed as 'Prime' minister of J&K by Maharaja Hari Singh (being a princely state) and Jawaharlal Nehru. He wanted to keep the J&K matters to himself and not allowing anyone to deal with it,



Featured Art: Satish Acharya. Image Source: <https://twitter.com/satishacharya/status/1158296309318606849>



not even the home minister Sardar Patel. Lord Mountbatten wanted to take the J&K issue to the UN and persuaded Nehru to do so. Sheikh Abdullah in turn persuaded Nehru to give special status to Jammu and Kashmir.

With regard to the question of autonomy, Article 370 was the legal provision which gave

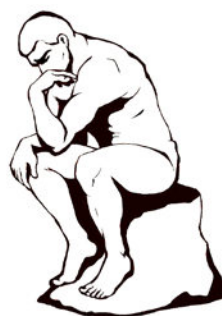
Kashmir its autonomy. The history of the granting of special status to Kashmir was not a rare happening with reference to international politics. Few other countries have been experiencing the same. To give an example; USA has given special status to some regions as well.

Article 370 served as a hindrance that delayed the unification of Jammu and Kashmir into the Indian Union. Even Jawaharlal Nehru himself made sure he did not make any opposition to his policy of keeping J&K a whole separate entity. Events would follow after this. There was a case going on since May 21 1968 .However, Nehru had withdrawn this case against Sheikh Abdullah and formal orders were issued on April 1964.It is rather interesting that this Article 370 included in the Indian constitution was included 'temporarily' and has not been removed since the past 60 years.

Going back to 1947,the year when the British had left India ,when the "Instrument of Accession " of J&K was signed by Maharaja Hari Singh , an attack was charged by the Pakistani soldiers and tribesmen that sparked the quarrel between India and Pakistan. Jammu and Kashmir has become 'part of India' since the Instrument of Accession was signed .Fortunately ,this conflict between the two countries ended a year later with the ceasefire ordered by the UN leading to Pakistan withdrawing its troops and even a resolution seeking a plebiscite demanding the people of J&K whether they wanted to join India or Pakistan. It was a year after 1948 that Article 370 was included in the Indian constitution. When the first general elections were held in India in 1951,it was said that such a referendum is not required and because of vociferous protests Sheikh Abdullah was imprisoned in 1953 . The Centre had been steadily eroding many provisions under Art370 including the coveted Sadr-i- Riyasat. The rigged elections during the eighties led to a spurt in insurgency and a sense of alienation had begun to creep in for the Kashmiris as they felt that their voices were stifled.

Pros and cons of Article 370

Starting with the advantages, article 370 aims at uniting Jammu and Kashmir into the Indian union .The fact that this article 'temporarily' allowed Jammu and Kashmir to have its constitution and the abrogation of this article will propagate the one nation, one constitution slogan. Many have opined



that there is something that is hindering development in Jammu and Kashmir and think that abrogation of Article 370 will lead to its development from many aspects. There has been a downfall in the economy of the state and therefore abrogation of Article 370 will open doors for boosting the economy of the state . The conflicts that are still happening between India and Pakistan probably shows that the authorities find it hard to connect with J&K and by removing Article 370 ,it will instill peace and curb terrorism prevalent in those areas.

Adding to it, in Article 35(a) included in Article 370 ,if a women marries a non-state person ,she will be deprived of her rights as a citizen of J&K .Hence, removing it proves beneficial to Kashmiri women. A major gender bias has been removed. Even before its abrogation, Kashmir received around 3/4th of its revenue from the Centre and the Consolidated Fund of India. The Union Government has allocated around Rs. 30757 crore for the newly created union territory which is 279 crores for Territory disaster response fund and the remaining for meeting its resource gap. With its abrogation, many development projects have been undertaken. The union territory would have its first and also the world's highest railway bridge over river Chenab and is expected to connect the valley to the rest of India. Six bridges as such have been inaugurated by Defence Minister Rajnath Singh in border areas of Jammu and Kashmir with a view to develop these areas. Now that Indian authorities are able to connect with J&K, makes it possible to help the region develop.

The keyword for the disadvantages of Article 370 is "INSECURITY" that the people of Kashmir fear. The locals have been enjoying the privilege of getting a dual citizenship but by removal of article 370 they lose this dual citizenship. Census 2011 shows that the majorities in Kashmir are Muslims and they fear that the abrogation of article 370 will threaten the unity of the state and add on the dangers and instability of the state. From the aspect of religion, the implementation of abrogation of the article puts a threat to democracy because it separates and placates the Hindu population in the Kashmir valley. Talking about the residents of the Kashmir Valley on the topic of splitting it into two union territories i.e Jammu and Kashmir , and Ladakh, a majority of the residents are against it. However,the people of J&K are unable to raise their voices or give their opinion because the government has put a ban on all network services.The

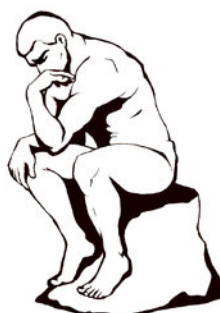
people of Kargil have stood against it because if the abrogation was implemented ,all the developments would go to Leh. A student of Jamia Milla Islamia ,Akhtar Hussain says that the government wants to separate Ladakh in the name of regions and religion for their political gains and that they should resist this move by the government.

The Public Safety Act

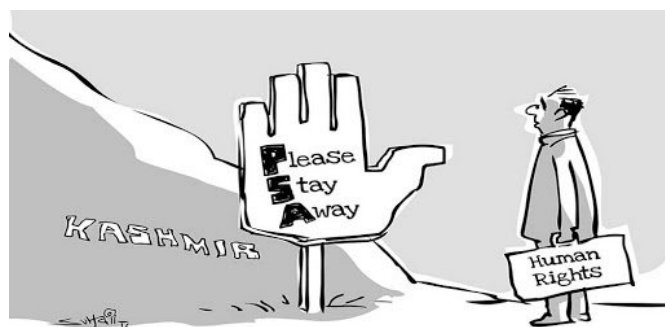
The Public Safety Act was a law introduced by Sheikh Abdullah, 'ironically' in the year 1878.The main purpose of this act is to prevent smuggling of timber and put them in prison up to two years without any trial .Sheikh himself was detained under this law .The fact that under this law, it mentions the words "without a trial" makes it difficult for those arrested under this act to defend themselves in court.

Crack down on Kashmiri Political Parties and Leaders:

When the detention order has been passed to the advisory board (within four weeks),the government has to refer the case to the advisory board which will then give its recommendations within a span of eight weeks of the order.If the government thinks that the person has violated the act, it can hold him/her for 2 years.Under Acts different from this one,the people have the right to defend themselves in court as mentioned earlier .However ,this act does not allow a person to do so. Reports from NDTV state that Former Jammu and Kashmir Chief Minister Omar Abdullah and Mehbooba Mufti were under arrest for the last six months charged under the Public Safety Act on 5th August 2019 itself.The order came on the last day of their six month detention 'without' charges. The order was confirmed on twitter by Mehbooba's daughter Iltija. Even Omar's father , Farroq Abdullah and even hundreds of ministers from the National Conference,Ali Mohammad Sagar and People's Democratic Party ,Sartaj Madhvi and others were arrested under Public Safety Act.The charges against Mr Sagar was his moves to arouse people to vote at the height of militancy in Kashmir.This act has two sections.As can be seen,one part is the one disturbing the 'public order' and allows detention for about three months without a trial and can extend upto six months.The other section includes detention upto 2 years without a trial and this is when there is a 'threat to the security of the state'.On 24th March 2020, Omar Abdullah was released from detention. After his release,he demanded the release of the others held under detention as well..



On April 08 2020,Mehbooba moved from jail to her home but still in detention or rather house arrest.It has been a year since the abrogation of article 370 and Mehbooba along with other political leaders are still



Featured Art: Suhail Naqshbandi. Image Source: <http://www.kashmirink.in/news/perspective/understanding-public-safety-act-psa--a-weapon-of-collective-state-violence/289.html>

under house arrest .There is an apprehension that if these leaders were released ,especially in these crucial times where protests and strikes in the street puts our lives at risk (due to covid-19),they might start arousing the people once more .This is what most are scared of ,to see people protesting in the streets.

Stock taking a year after Abrogation:

On 5th August 2019, Article 370 which granted special status to people of Jammu and Kashmir was abrogated by the Modi-led BJP government. It also proposed the division of Jammu and Kashmir into two union territories to be directly controlled by New Delhi. On 5th August 2020,it was the first year anniversary of the abrogation of article 370 from Jammu and Kashmir. Many things have changed since then having both negative impact and positive impact. Development is what is needed and what the act might do to renovate the regions of J&K. Apart from development, what is expected to change is the curbing of corruption, terrorism and raising the economy of J&K and many more. With respect to legislation, out of 354 state laws before 2019,164 laws have been repealed and 138 laws modified and 170 central laws have been made applicable. An increase in minority scholarship has been observed by 262%.Also, the union government and consolidated fund of India have donated crores to the union territory of Jammu and Kashmir.

According to the report by the Union Ministry of Home Affairs ,terrorism in those areas have reduced significantly by around 36% .Also, less people are seen to join terrorist organizations and also around lakhs have been issued the domicile certificate which is the certificate to prove that they are residents of that particular state or union

territory. Around 100,000 job vacancies available, has introduced the 7th pay commission, has considered reservation of Pahari-speaking people and economically weaker sections..Most importantly, the projects that have been undertaken after the abrogation include the construction of the railway bridges over river Chenab and also the six bridges as inaugurated by Defence Minister Rajnath Singh. Many more projects have been undertaken benefitting the Kashmiri pundits, the farmers, horticulture, tourism, handicrafts. The government has also identified over 6000 acres of government land for industry and also land has been transferred to set up 37 industrial estates. These developments have proved effective and shown to be very beneficial. The Central Government, apart from donating more than 55000 crores to J&K for its expenditure, an additional 1 lakh crore was presented to J&K.If the need for more money arises; proposals will be discussed in the Lok Sabha.

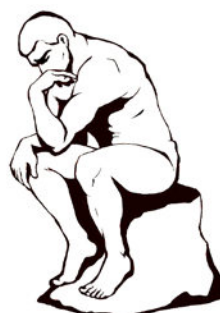
The abrogation of article 370 is too much to take in for some Indians. Most of have become used to considering Kashmir to be in a state it usually was before abrogation of the article, that is ,in a very underdeveloped condition and unstable governments and many more problems. However,the status quo of Kashmir had become unsustainable long time back. Article 370 is the biggest hindrance in the 'greatest emotional integration' of the people of Kashmir with the rest of India. The people of Kashmir would rather isolate themselves from the state,the separatists and terrorism and choose to remain quiet and are considered to be 'quiet sufferers' .Although things are happening in a direction opposite to what the Kashmiris desire, they do not accept their fate but are rather hopeful that these changes will later lead to development. It was quite obvious that ,for the parties to show their strength and their efficiency on some problems, they tend to come to the front and challenge other parties in doing so and show that theirs is very much efficient .This problem of Kashmir acts as an opportunity for them. Economic Times has also mentioned in one of their articles on 6th August 2019 that, "It was only the political and policy inertia that was keeping Indian policymakers from challenging it". From the perspective of the Kashmiris, the special status guaranteed to them under Article 370 had become an "article of faith". Self believes it is not right to treat people differently just because of religious disparities. This became the root cause for everything that one encounters today, especially in those regions of J&K .After the abrogation of article 370,

a decline of terrorist activities could be seen by 36%. Doda in Jammu and Kashmir became terrorist free after the death of Hizbul Mujahedeen commander. These days, many activities depend on the internet and '4G' network is preferred .Jammu and Kashmir has been deprived of 4G network and people are finding it difficult to work online. The ban on 4G service as we all know was to stop violence. However, recently the Centre has ordered the restoration of 4G network in J&K on a trial basis only on two districts.It is quite difficult for Kashmir to develop being deprived of this right to use the internet as the whole world is using. As of now, Kashmir is moving in the right direction and right pace to development.

However, it is not yet the right time to say that Kashmir is developing ever since the abrogation of article 370.One will need time to wait, watch, analyze and evaluate whether this article will institutionalize a good governance and raise the development graph of Jammu and Kashmir or not. A developmental overdrive and emotional integration will definitely make J&K paradise on Earth again.

BIBLIOGRAPHY

1. <https://www.thehindu.com/>
2. <https://www.newindianexpress.com/>
3. <https://www.indiatoday.in/>
4. <https://www.bbc.com/>
5. <https://www.timesofindia.indiatimes.com/>
6. www.hindustantimes.com
7. <https://outlookindia.com/>
8. <https://m.economictimes.com/>
9. <https://ndtv.com/>



STATES AS HOSTILE NEIGHBOURS LIVING WITH VIABLE STRATEGIES

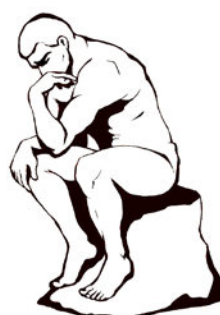
ARTHAM HOJAI DAS CLASS 12 HUMANITIES

[States are not mere geographical elements with land mass and allied features. States as living entities in pursuit of their national interest adopt, adapt and evolve strategies. The writer attempts to investigate the efficacy of such principles keeping India's relations with her neighbours while citing the effective survival strategy of similarly placed Israel]



Featured Art: Soham Sen | ThePrint. Image Source: <https://theprint.in/national-interest/its-time-for-china-pakistan-even-india-to-rethink-the-fantasy-modi-called-expansionism/454258/>

The word INDO-CHINA emphasizes the cultural influence on the area of Indian civilization and Chinese civilization. The INDO-CHINA Border dispute drives its roots from the SINO-INDIA war in 1962 where India and china fought a war over their contested borders in the Himalayas. India was attacked on October 20, 1962 in what famously came to be known as Sino-India war of 1962. The belief of not ever being attacked by China did not let the Indian army prepare and the result was the standoff between 10,000-20,000 Indian troops and 80,000 Chinese troops. The war continued for about a month and ended on November 21, after China declared a ceasefire. China



and India, had not resolved a dispute over several areas of their border, most notably the section demarcating a barren plateau in Ladakh—most of which was called Aksai Chin, which was claimed by India as part of Jammu and Kashmir state but never properly surveyed. After China had reasserted its authority over Tibet in

1950, it began appealing to India—but to no avail—for negotiations over the border. This Sino-Indian dispute was exacerbated in the late 1950s after India discovered a road across Aksai Chin built by the Chinese to link its autonomous region of Xinjiang with Tibet. The tension was further heightened when in 1959 India granted asylum to the Dalai Lama, Tibet's spiritual leader. On October

20, 1962, China's People's Liberation Army invaded India in Ladakh, and across the McMahon Line in the then North-East Frontier Agency. India was confident that the war would not be started and made little preparations. Thinking this, India deployed only two divisions of troops in the region of the conflict, while the Chinese troops had three regiments positioned. India had to fight a war with Pakistan over Kashmir in 1948. Sixty per cent of the Army was fighting against 40 per cent of itself. There would not have been much surplus capability to fight the Chinese, who until 1950 were not even in the threat calculus of India. British Indian Army was manning China-Tibet border, and this mantle fell to Indians after Independence. India knew China's border was indefensible. It was not feasible to build logistics and fortifications when China attacked. It takes several weeks to condition soldiers to fight in depleted oxygen levels. China would have occupied the peaks by then since they had planned it in advance. India was simply not equipped to take on China who were supplied by Soviets, had fighting and logistics experience of several wars and a civil administration that had always been free with structures and processes honed over centuries. China had very experienced Generals who knew how to fight wars. Whereas India had to focus on the aftermath of the partition, the death of Mahatma Gandhi and the linguistic division of states. As China grip over Tibet increased, the fledgling Indian intelligence service was directed by Nehru to rescue Dalai Lama. Both nations were engaged in deception game when the diplomacy of Hindi-Chini bhai-bhai began. Indian announced its intent to go nuclear in 1964, after which China probably thought that if India goes nuclear, they would not be able to attack India, so time was running out for them. Their objective to put chilling fear in the spine of all Indians had been achieved. The war ended on 21 November 1962 after China declared ceasefire. The war ended with a truce and led to the formation of the Line of Actual Control.

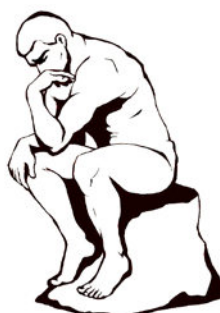
However this is not the first territorial dispute that India faced from one of its neighbouring countries, after the partition of India in 1947 both India and Pakistan both claimed the rights of previously princely state Jammu and Kashmir. It is a dispute over the region that escalated into three wars and several other skirmishes. The most violent outbreaks came in 1947-48, 1965, 1971 and 1999. Reasons of conflicts are border dispute, Kashmir problem, and water dispute and terror controversy. Despite being initiated the wars and conflicts by Pakistan, all

are ended up with the defeat or disaster for Pakistan.

The first war between India and Pakistan began in October 1947 and ended in December 1948, it is also known as the first Kashmir war. In, 1947 when India was partitioned, Maharaja Hari Singh, the Hindu ruler of Muslim dominated Kashmir, dreamt of the Independent State of Kashmir. However the partition riots broke out in Kashmir in September 1947 when Muslims were killed in Western part of Kashmir. This led people of this part to rebel against Maharaja and declared their own Azad Kashmir Government. Sensing it as an opportunity, Pakistan sent the Pakistani tribal armies to Kashmir which got into fifteen miles from the state's capital, Srinagar. Alarmed at this intrusion, Maharaja asked India for assistance. However, India asked him to sign the Instrument of accession to India. Maharaja Hari Singh signed it and Sheikh Abdullah leader of National Conference of Kashmir assented, India accepted the merger of J & K to India. Finally, India sent its forces to Kashmir while Pakistan sent military aid to troopers aiding Azad Kashmir movement. The Indo-Pakistan War ended in a stalemate because PM Nehru of India pursued the idealistic path of using diplomatic means through the newly created United Nations Organisation to try and force Pakistan to withdraw its irregular forces from J & K. The war also led to the creation of The Line of



Featured Art: Anis Wani. Image Source: https://twitter.com/_aniswani/status/1235117819794051073



Control (LOC) and the enactment of Article 370 and Article 35 A.

Included in the Constitution on October 17, 1949, Article 370 exempts J&K from the Indian Constitution and permits the state to draft its own Constitution. It restricts

Parliament's legislative powers in respect of J&K. India has used Article 370 at least 45 times to extend provisions of the Indian Constitution to J&K. This is the only way through which, by mere Presidential Orders, India has almost nullified the effect of J&K's special status. By the 1954 order, almost the entire Constitution was extended to J&K including most Constitutional amendments. There is a need to analyse the impact on the repeal of Art370 and Art 35 A on the geo- politics of this hostile and volatile region.

Article 35A gave the government of Jammu and Kashmir the power to define permanent residents and give them special rights and privileges with regard to employment, acquiring immovable property, scholarships and other forms of aid in the state. It states that no outsider can own property in J&K or get a government job in J&K.

The BJP government repealed Article 370 which has its own advantages as well as disadvantages.

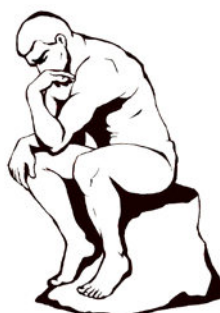
Implications-J&K will no longer enjoy special status now. The Indian Constitution laws will be applicable to all residents of Jammu & Kashmir. Part IV of the Indian Constitution, the Directive Principle of State



Image Source: <https://www.thefridaytimes.com/tank-battle-at-khem-karan/>

Policy and Fundamental Duties will now apply to the state of J&K There will be no separate flag for J&K now and the article 35 A will be nullified.

Advantages- It will open doors for private sectors to invest in J&K. This will boost the economy of the state. There will be the scope of other job opportunities now apart from tourism. The centre will be able to provide better medical facilities to citizens of J&K now. Appropriate measures to control corruption can be taken now by the central government. Authorities will be in a better position to curb terrorism



now. The Indian government is on an aggressive overdrive to develop communication in the region including roads and bridges to counter any possible enemy aggression and encroachment.

Disadvantages- Kashmiri citizens will no longer have dual citizenship, which is not going down very well with many locals. The already delicate relations of India with Pakistan will undergo a very severe strain. There were several presidential orders issues under Article 370, repealing it just like that will create practical difficulties and political vulnerability.

Overall it has instilled fear among a section of citizens about security. Many dread that the way Article 370 was revoked, the government might take similar actions in other states and people will have no say. It is viewed as a perceived threat to Indian democracy by those who are critical..

The Indo-Pak War of 1965 was the culmination of a series of disputes between India and Pakistan. The war is remembered for its significant usage of armoured



Image Source <http://bangladeshwatchdog.blogspot.com/2010/07/bangladesh-and-war-crimes-blighted-at.html>

vehicles and tanks and is claimed to be the biggest since the Second World War. The War began following Pakistan's Operation Gibraltar, which was designed to infiltrate irregular armed insurgents into J & K to precipitate an insurgency against rule by India. Even though India had the upper hand in the war, Pakistan was backed by its neighbouring countries specially China who

was their reliable ally through the establishment of their diplomatic relations in 1951. China exerted pressure to force India to declare a ceasefire and issued sharp ultimatum to avoid the use of Sino-India border for military installation or face the consequences. China at the same time was strengthening its defence and heightened its alertness along its borders. These warnings diverted India's attention from crossing the Line of Control and served the Pakistani interests. The seventeenth day war ended after an UN mandated ceasefire. China's support to Pakistan was further consolidated by the war and China even supported Pakistan in the 1971 war with India.

Air Force – a decisive factor and a game changer.

A day after the war erupted in 1971, and then Prime Minister Indira Gandhi was so cool that she was changing the bedcovers on a 'diwan' when her personal physician walked in. She knew India will crack this one, despite the numbers stacked against it. Pakistan's reliable ally China was encouraged by US to mobilise its armed forces along its border with India. However, due to lack of dominant positions on the Sino-Indian border, China demanded an immediate ceasefire. The inconclusive result of these wars still affects the geopolitics of these countries.



Featured Art: Carlos. Image Source: <https://mg.co.za/opinion/2020-06-19-cartoon-carlos-on-the-india-china-border-clashes/>

Politically, the Indo-Pakistan war began in April 1971 when Pakistan pushed nearly nine million refugees into India through a campaign of rape, murder and terror that statistically comes close to Hitler's genocide of Jews in the Second World War, in scale and brutality. Military force remained the only option when it became clear that the rest of the world had decided to ignore this crime. India bided its time till the winter snows closed the Himalayan passes, rendering Chinese intervention difficult.

The 1971 Indo-Pak war was one of those rarest of rare occasions in our history when India took the military initiative. It was one of the shortest wars in history, lasting only 13 days. India overwhelmed Pakistani military, forcing its Eastern Command to surrender on 16 December 1971 in Dhaka, marking the formation of East Pakistan as the new nation of Bangladesh. On November 26, 1971, India moved into East Pakistani territory. A desperate Pakistan retaliated on December 3, 1971. It hoped for China and American backing and also a UN intervention. But India countered the move with its overwhelming

Since the dispute between India and China in 1962 another territorial dispute in the Galwan valley has arose since 5th May 2020. The Galwan valley is strategically located between Ladakh in the west and Aksai Chin in the east, which is currently controlled by China. On 9th May a heated confrontation occurred between Indian and Chinese soldiers in north Sikkim's Naku La area. Four Indian soldiers injured during the face-off involving 150 soldiers. Foreign ministry spokesman Lijian Zhao said the troops had crossed into Chinese territory and attacked, triggering "fierce physical conflicts". However he did not give details of any Chinese casualties. Till date, the stand-off between India and China continues and India is in a position of strategic advantage in some key positions in Ladakh in terms of elevation to keep an eye on the Chinese side for vehicular or troop movement. India is on a developmental overdrive in the region particularly key roads and bridges to facilitate easy and quick movement of troops and armoured vehicles as also tanks. This has irked the Chinese for sure. High tension still prevails on the Chinese position holding on to the areas between Finger 4 to Finger 8, hotly contested by India to be its territory.

Indian PM Narendra Modi said no foreign soldiers had crossed India's borders and no territory had been lost and vowed that India would defend its border with military force if necessary. In a series of tweets, Mr Zhao said the Galwan Valley was on the Chinese side of the Line of Actual Control (LAC), the poorly demarcated border between the two nuclear-armed powers.

He said the clash occurred at a time when tension had been easing after India demolished infrastructure it had built on the Chinese side of the LAC in May and withdrew personnel, following an agreement



between Chinese and Indian officers. But on 15 June Indian troops “once again crossed the Line of Actual Control for deliberate provocation when the situation in the Galwan Valley was already easing”, Mr Zhao said. He even said that “India’s front-line troops even violently attacked the Chinese officers and soldiers who went there for negotiation, thus triggering fierce physical conflicts and causing casualties,” India has been building “roads, bridges and other facilities” at the LAC in Galwan Valley since April.

Anti-China sentiment has been high in India since the clashes. Calls to boycott Chinese goods soon emerged, and the government issued directives to cancel or limit Chinese contracts with public sector companies. But the ban on the apps took many by surprise. The list includes the micro blogging platform Weibo, the strategy game Clash of Kings, Alibaba’s UC Browser, and e-commerce apps Club Factory and Shein. Many of the Chinese apps have been linked to controversies over data privacy, and have been accused of sharing sensitive information with the Chinese government. US senators have even called for an investigation into TikTok, which fiercely rejects such claims. The app makers have said they are in talks with the Indian government, while Beijing has asked India to reconsider its decision.

However, the timing of the ban - amid escalating tensions - is not coincidental, but rather a response to the events at the border. Even so China is aware that India cannot ban Chinese goods completely because there are many ways to send Chinese goods to India through the third channels. It is difficult for India to stop that. They have figured that out and therefore they are acting in the way they are currently acting on the border. There are illegal markets and illegal trading that happens on our north-eastern borders or third country channels for Chinese goods to come to India.

The true intent behind this clash is that China wants to send a message to us that they are a competent power. A competent power that can challenge the USA and India, which is USA’s strategic partner. At this point of time they also want to send a message to the rest of the world that China can handle multiple challenges at one go. They want to tell the US and its democratic allies, who have ganged up against China, that they can handle all kinds of challenges under Xi Jinping’s leadership during the pandemic and at the same time send a message to India that if New Delhi tries to create trouble for them

in future, Beijing, will not take it lightly. Today’s China under Xi’s leadership is well prepared. What we are seeing in Ladakh is a well-planned Chinese strategy to trouble India and pressurise New Delhi not to take advantage of the current international situation vis-à-vis China which is led by the United States.

If the Chinese military gets hold of some western sectors on the India-China boundary, it will give them added military advantage as it is close to the India-Pakistan border. There is a deliberate attempt for the Galwan Valley from China because they want to get a strategic edge and added advantage over India on every sector. The same attempt has been made in the middle sector, and the Doklam incident is a reference to that.

Israel has been locked in conflict with the Palestinians and its Arab neighbours over ownership of land considered holy by many Jews, Christians and Muslims since its creation in 1948. Israel has developed from an agrarian state run along collectivist lines into a hi-tech economy in the past 60 years. It has absorbed Jewish immigrants from Europe, the rest of the Middle East, North America and, most recently, the former Soviet Union and Ethiopia along the way. Its political life has nonetheless been dominated by the conflict with its Arab neighbours, including full-scale regional wars in 1948, 1967 and 1973, and many smaller-scale conflicts including the 1956 invasion of Egypt and the Lebanon wars of 1982 and 2006. Relations with the Palestinians have been a major factor in foreign and security policy. The Palestinians in the West Bank and eastern Jerusalem have lived under Israeli occupation since 1967. The settlements that Israel has built in the West Bank are home to nearly 500,000 people and are deemed to be illegal under international law, although Israel disputes this.

With the on-going territorial disputes that India is facing we can look at Israel’s west bank border to see how India can also tackle this issues. Israel began building its controversial separation barrier in 2002 after a wave of suicide bombings from the occupied West Bank. The barrier was built during the Second Intifada that began in September 2000, and was defended by the

Israeli government as necessary to stop the wave of Palestinian political violence inside Israel that the uprising had brought with it. The Israeli government says that the barrier has been effective, as the number of suicide bombings carried out from the West Bank fell from 73 to 12 (from August 2003 to the end of 2006). Israel’s border police also known



as Magav is known for its efficiency in tackling this. The Israeli Ministry of foreign affairs and the Israel Security Agency report that in 2002, there were 452 fatalities from terrorist attacks. Before the completion of the first continuous segment (July 2003) from the beginning of the Second Intifada, 73 Palestinian suicide bombings were carried out from the West Bank, killing 293 Israelis and injuring over 1,900. After the completion of the first continuous segment through the end of 2006, there were only 12 attacks based in the West Bank, killing 64 people and wounding 445. Terrorist attacks declined in 2007 and 2008 to 9 in 2010.

The Ministry of Foreign Affairs predicts that completion of the barrier will continue to prevent terrorist attacks since “an absolute halt in terrorist activities has been noticed in the West Bank areas where the fence has been constructed.”

Israeli officials have said that in the areas where the barrier was complete, the number of hostile infiltrations has decreased to almost zero. They also stated that Palestinian militants, including a senior member of Islamic Jihad, had confirmed that the barrier made it much harder to conduct attacks inside Israel.

The entire overview from the Sino-India war till the Galwan valley dispute currently going on was done in order to explain the geo-political situation in India. The Indo Pakistan wars highlight India's efficiency in handling territorial disputes against Pakistan. India is known to be economically and numerically stronger than Pakistan, However in today's time numerical strength is irrelevant due to both countries being nuclear. If under certain circumstances India decides to go nuclear it could have grave consequences. Scientists say that the nuclear war could trigger ice-age temperature causing global famine and killing millions of people. The researchers estimate that it would take more than a decade for temperatures and precipitation to return to normal. In the meantime, farmers around the world - especially in India, China, Southeast Asia, Indonesia, tropical South America, and Africa - would struggle to grow food. Entire marine ecosystems could also be devastated, which would destroy local fishing economies. One of the key takeaways of this is that when countries decide to go nuclear they threaten their own and the whole world's safety. With the on-going dispute with China, it is highly likely that Pakistan will decide to aid China which will also help their interests (J&K). China is a suspect power and it cannot be trusted. They had shown their true colours

in 1962 and many other smaller incidents to indicate that. The Chinese are disturbed by the way India is rising as an Indo-Pacific power and building greater alignments with other democratic countries including the US. The Chinese are unable to accept that the Indians have decided to align with the US and other countries in the Indo-Pacific configuration. They are also bothered by Bharatmala project of the BJP government to counter the String of Pearls strategy adopted by China.

China's attempt at Galwan valley is a statement to the whole world. They want to tell the US and its democratic allies, who have ganged up against China, that they can handle all kinds of challenges under Xi Jinping's leadership during the pandemic and at the same time send a message to India that if New Delhi tries to create trouble for them in future, Beijing will not take it lightly. Today's China under Xi's leadership is well prepared. What we are seeing in Ladakh is a well-planned Chinese strategy to trouble India and pressurise New Delhi not to take advantage of the current international situation vis-à-vis China which is led by the United States. However a large scale war scenario is highly unlikely and China will eventually come to terms with India in accordance with their bilateral interests.

BIBLIOGRAPHY

1. <https://indianexpress.com/article/explained/india-china-stand-off-what-we-know-about-the-unfolding-situation-in-ladakh-6447644/>
2. https://www.fairobserver.com/region/central_south_asia/atul-singh-vikram-sood-glenn-carle-india-china-tibet-border-conflict-history-narendra-modi-xi-jinping-news-17161/?gclid

