GOVERNANCE IN JAMMU & KASHMIR UNDER GHULAM MOHAMMAD SADIQ (1964-1971): CENTRALISATION UNDER SOCIALIST GARB

MAQSOOD HUSSAIN PARA

Ph.D Research Scholar

School of Social Science, Devi Ahilya Vishwavidyalaya, Indore (M.P)

ABSTRACT

The era of Ghulam Mohammad Sadiq [1964-71] in Jammu & Kashmir marked a complete departure from the preceding periods in the sense that he was ideologically differently oriented and relatively liberal as compared to his predecessors. During his tenure the governance in the State developed close proximity with the central government and most of the central government agencies started acquiring more space in the state apparatus. A new chapter was opened up in the development of relations between state and Indian union. Although he took various steps to eradicate the menace of corruption, promoted men of integrity, institutionalized the administration, tried to remove regional disparities, but the system of governance was married by various grave infirmities as the result of which the targeted results could not be achieved. His tenure witnessed Indo-Pak relations at its lowest and the two countries engaging each other in two full-fledged wars. Also the secessionist tendencies in Valley too flourished during the period. While analyzing closely the governing era of Ghulam Mohammad Sadiq, it seemed that despite him being a liberal socialist, he carried forward the legacy of predecessors to govern the state in more than one ways. The paper is an attempt to understand the nature of governance during the era of Ghulam Mohammad Sadiq and its relative impact on the state.

Keywords: Ghulam Mohammad Sadiq, Governance, Jammu and Kashmir, Regional Disparities, Center-State Relations

Introduction

Gulam Mohammad Sadiq a soft spoken, sophistical and cultured political figure had been one of the prominent leaders during the anti-feudal movement launched against Dogra autocracy in Jammu & Kashmir, beginning in the thirties of the twentieth century, under the towering leadership of Kashmir’s famous nationalist leader Shiekh Mohammad Abdulla. He enjoyed a great deal of influence in the governing era of both Shiekh Mohammad Abdulla and Bakshi Gulam Mohammad and held various important constitutional and ministerial positions during both regimes. Sadiq was known for his Marxist inclination and maintained very close connections with the Marxists of all hues within the country. He remained the leader of communist party group formed within the National Conference. As a strong ideologue of National Conference he was utterly heard by politicians of all streams within and outside the state. His term of regime in the state begin after the brief innings of Sham-ud-Din, who remained in office for a shorter duration of time. Sham-us-Din’s term as a prime Minister of Jammu & Kashmir State met with an unforgettable and very serious incident in the history of Kashmir of the disappearance of Holy Relic (Moe-e-Muqadas) form famous Hazratbal Shrine, Srinagar. This Holy relic was installed at Hazratbal Shrine, overlooking a picturesque stretch of the famous Dal Lake near Srinagar; in 1700 A.D. The news regarding the disappearance of Holy Relic spread like a wild fire and caused alarming situation in the valley. The incident gave expression of intense public indignation in the valley. Fortunately, on 4th January, 1964 after investigation, B.N.Mullik (Director of Intelligence Bureau) had announced that Holy Relic had been replaced in what mysteriously described as “an intelligence operation never to be disclosed”. Soon after the prolonged and widespread public agitation due to the disappearance of Holy Relic, it seems evident that neither Mr. Shams-ud-Din nor any other person associated with former Prime Minister of State Bakshi Ghulam Mohammad would be acceptable
to people especially to Muslims in the valley, as the Prime Minister of the State. It was on this behalf that Gulam Mohammad Sadiq, an intellectual and Marxist was chosen as the Prime Minister of the State, for whom it was thought by Indian Nationalists, would be more acceptable to the people of state especially of valley than the Bakshi Ghulam Mohammad clique.

Governance, Socio-economic Development & Institutional Changes

The governing period of Gulam Mohammad Sadiq (1964-1971) as the Prime Minister of Jammu & Kashmir State was the period of great upheaval and chaos due to both internal as well as external challenges. His tenure was completely different from the proceeding periods in the sense that Sadiq was differently oriented and relatively liberal as compared to his predecessors. Being a liberal and socialist ideologue, Sadiq began his administration in the state with the announcement of liberalization and normalization of government policy towards all elements of the state’s body-politic.\(^4\) Infact Sadiq government was the first liberal regime since National Conference grabbed power in the state in 1947. The various developments undertaken during the period of Gulam Mohammad Sadiq in the field of State administration, education, promotion of economy of the state, removing restrictions on liberty, towards eradication the menace of corruption from the state machinery are discussed below.

In order to lay down the foundation of an efficient, healthy and corruption free public services in the state Sadiq government took various bold steps. A promising and favorable environment was created for the promotion and encouragement of high standards of honesty and integrity to eliminate corruption and malpractices. Before the era of Sadiq there was rampant corruption and nepotism in the state administration, created during the era of Bakshi Ghulam Mohammad as an instrument to win over the mass consent. However, in the era of G.M.Sadiq a well functional vigilance system was created so that no public servant including minister would accumulate private property disproportionately to their incomes. It had been made obligatory upon government servants to submit statements of their personnel assets including the statement of assets of their families and dependents for examination and scrutiny to government.\(^5\) Furthermore, ministers and member of Parliament were debarred from buying government property or selling personnel property to the government, however were such a deviation from the established rule become necessary the advice of Chief Justice had to be sought which would be binding on the government. The seriousness of the Sadiq government to check and eliminate the menace of corruption and malpractices in state services from its roots is indicated from the fact that wide powers had been delegated to State Anti-Corruption Commission to deal seriously with the cases of corruption and mal-practices against government servants. Besides, an Anti-Corruption investigating agency was set up by the government to provide further impetus to the anti-corruption campaign. Moreover, in order to ensure speedy action against corrupt officials, the Chief Secretary of the state was empowered to issue suspension orders in favour of Gazettee officers against whom Prima facia cases were established by anti-corruption commission.\(^6\) To provide further boost anti-corruption measures a Central Vigilance Committee composed of Chief Secretary, Forest Secretary, Secretary Works and Power, Inspector General of Police (C.I.D) was convened in order to coordinate the measures taken by various departments of the government.\(^7\)

Sadiq government in order to eliminate nepotism and favoritism in the matter of recruitment to government services in the state ensured that merit and ability would be made the sole criteria in future. Similarly, to ensure transparency and accountability in the appointments to government services, State Subordinate Service Selection Board for making appointments in the state subordinate services were established, as at that time with the establishment of State Public Service Commission during Bakhshi’s regime only gazette appointments had been institutionalized. It was entrusted upon all the heads of departments to place their demands for recruitment within the Board. Besides recruitment, Service Selection Board was also entrusted to rendered advice to government departments regarding the qualifications and criteria for recruitments to non-gazettee services.\(^8\) The departments had also been made to seek the advice of State Service Selection Board on matters of promotion and transfers from one service to another service. In the same manner, District Selection Boards were been also setup in all districts for making appointments to district services.\(^9\) Merit and ability was followed as the only criteria for making admission of the students to Medical, Engineering and other colleges and universities both within and outside the state. The nominations of students for studying outside the state were being made on the principle of “bringing out the best from all sections of the population”. In the interest of efficiency and accountability, Sadiq government implemented a new pattern regarding postings and transfers. Alongside this, the inter district pattern of transfers and postings was followed. The officers holding vital and important positions at tehsil and district level machinery including deputy commissioners were debarred from posting in their native tehsils and districts.\(^10\) Various constructive efforts were employed to hold the price-line of various essential commodities including mutton, edible oils and milk according to the affordability of the masses.

Sadiq period is particularly known for drastic reformation project in education. In the field of education special attention was paid towards improving the teaching-learning standards in all government educational institutions in relation to schools, colleges and universities. Besides, considerable attention was also paid towards training of teachers and to address the identified problems of secondary education in the state. During the same period, under the Ganguli Report recommendations two Universities were set up, one at Srinagar and the other at Jammu with autonomous faculties of post graduate teaching, which helped considerably in achieving balanced growth of university education covering the entire state.\(^11\)

Ever since the establishment of popular rule in the state, there was a peculiar feeling among the people of Jammu in general and that of Ladakh in particular that they had been neglected by the successive state governments. In this connection, Khaushal Bhukla, a famous leader of Ladakh in August 1947 threatened the state government that if the state government failed to redress their genuine problems well in time, the people of Ladakh will declare a complete separation from the state. So in order to introduce administrative
changes, especially to meet the ethno-regional disparities of Jammu and Kashmir and with a view to improve the lot of backward sections of society, a commission under the chairmanship of Gagendargadkare was appointed by Sadiq government on 6th November, 1967 with the active support from New Delhi. This commission is popularly known as Gagendargadkare Commission. Besides chairman the other two members of the commission were Bhadur-din-Tyabji, former president of Indian National Congress and famous Shankar Prasad. The commission was established with a mandate to have an assessment of all the three regions of the state in respect of developmental programmes and also to recommend necessary measures needed to be undertaken to ensure the equitable distribution of available resources. Besides, the commission was also entrusted to examine the state policies regarding employment and admission to the institutions of higher education, to find out the causes that led to conflicts and tensions between regions and also to recommend necessary measures. After the completion of one year extensive study of all these areas entrusted upon, the commission submitted its report on 6th December 1968. The commission besides other things recommended interalia establishment of State Development Board, Regional Development Boards for three regions Jammu, Kashmir and Ladakh and grant of equitable share to all the three regions in respect of government employment, educational and judicial facilities. This report was finally made public by Sadiq government on 19th January, 1969. Sadiq government took steps to implement the recommendations by establishing the Regional Development Boards and providing reservations to the backward regions and classes. In the year 1970 it was for the first time in the history of state that government announced 8% reservation for SC’s and 42% for backward classes in state services.12

Integration, Centralization and Erosion of Autonomy

Besides these developmental works undertaken in the state during the governing period of Gulam Mohammad Sadiq, there is other side of the story as well. Amid the crises ridden situation in the valley, the process of greater integration and assimilation initiated by Bakshi Ghulam Mohammad, former Prime Minister of Jammu and Kashmir state continued during the regime of Ghulam Mohammad Sadiq and reached to its peak. During the period (1964-1971) in the state, Sadiq government took various steps in order to put state’s relationship with Indian Union at par with other states. Many provisions of the India Constitution with a view to erode the autonomy of the state and to ensure greater integration were extended to Jammu and Kashmir with the active consent of state government. Article 249, which empowers union government to legislate on any matter enumerated in the state list, was made applicable to Jammu and Kashmir.13 In the late 1964, the Sadiq government felt the need of extending the emergency provisions of Indian Constitution over the State of Jammu and Kashmir because of both internal as well as external pressures. In a statement the Prime Minister of State, Ghulam Mohammad Sadiq stated “the state of Jammu and Kashmir is passing through times which cannot be called normal and besides, it has also its internal problems. The state has been the victim of aggression by Pakistan and China. In Bengal, Madras and Kerala, there are no abnormal conditions. But article 356 and 357 are still in force. We feel that the extension of these articles to this state in view of its abnormal conditions is more necessary”. After the issuance of such statement the state legislature passed a resolution regarding the extension of emergency provisions enumerated in Indian Constitution under article 356 and 357 to the Jammu and Kashmir state. Therefore, the two most centrist provision of the Indian constitution (still controversial) article 356 and article 357 were been made applicable to the state of Jammu and Kashmir in its totality, through the constitutional (Application to Jammu and Kashmir) Amendment Act issued by President of India on 21, December 1964.15 This empowered the President of India to proclaim presidential rule under Article 356 of Indian Constitution in case of failure of constitutional machinery in the state. Further Article 357, empowering the Parliament to confer on the President the power of the State legislature to make laws and also delegate powers to specified authorities. The extension of these two articles of Indian Constitution over the Jammu and Kashmir State met with strong criticism from both, Plebiscite Front established in 1955 at the behest of Sheik Mohammad and his close associate, Mirza Afzal Beigh and from Awami Action Committee led by Maulana Maoulvi Farooq. As a step further towards erosion of state autonomy and with a view to remove the impression of distinct constitutional pattern created by somewhat different nomenclatures of Sadri-e-Riyasat and Wazir-e-Azim of the State, in April 1965, the sixth amendment to the Constitution of Jammu and Kashmir was enacted.16 This amendment introduced for reaching changes in the State Constitution by bringing the constitutional position of state in harmony with the pattern established in all other states of the Indian Union. By this amendment, the office of Sadri-e-Riyasat was abolished and in that place a provision was incorporated in the State Constitution that provided for a Governor to act as the head of state. It also abrogated the provisions of section 27 of the state constitution which laid down the procedure for the election of the Sadri-e-Riyasat and his recognition by president of India. Such provision of the constitution was replaced by a fresh provision which provided that the governor of the state would be appointed by the president of India and should hold his office during the pleasure of president. This amendment enacted in the State constitution also abolished the office of Wazir-e-Azim (Prime Minister) in the state, replacing it with Chief Minister, thereby changing the basic character of government from democratic to non-democratic, which ultimately produced a deteriorating effect on the autonomous status of the state. In February 1967, with the concurrence of state government three sections of the Jammu and Kashmir Representation of Peoples Act were amended to bring it at par with the Central Government law. These amendments placed state elections under the jurisdiction of Election Commission of India. Sadiq also remained contributory in extending the Code of Civil Procedure to the state with the result Jammu and Kashmir Civil Procedure Code was amended in August 1964. In addition to this with the efforts of Central government and by the active cooperation of Sadiq government the Central Advocate Act was also extended to the Jammu and Kashmir State during the same period under reference. The act enabled the legal practitioners of entire country to practice in Jammu and Kashmir High Court and vice-versa. During the same period the Central Press Bill was also extended to the State of Jammu and Kashmir and by virtue of which the jurisdiction of Registrar of Newspapers were been extended to the Jammu and Kashmir state as well. During the regime of Gulam Mohammad Sadiq the fifth schedule of State Constitution dealing with oaths and affirmations for ministers, deputy ministers, candidates contesting elections, members of the State Legislature and judges of the State high court was also amended by the state government to enable the emotional integration of state towards Indian Union. The words on all oath forms “that I will uphold the sovereignty and integrity of India” were being inserted after
the already existing expression “that I will bear true faith and allegiance to the constitution of the state as by law established.” New Delhi showed its policy of radical centralising strategy by arrogating the Kashmiri’s historical political movement, National conference. The working Committee of National Conference (Sadiq faction) under the patronage of Gulam Mohammad Sadiq announced on 3rd January 1965 that the National Conference party would dissolve itself and merge into India’s ruling party Indian National Congress. Sadiq remained instrumental in conversion of Kashmiris main political organization into the unit of Indian National Congress. The process of erosion of autonomy of the state set forth by previous regimes, right from 1953 under Article 370 of Indian Constitution continued unabashedly in the era of Sadiq, however with active consent of successive state government. Almost more than 28 Presidential orders (Application to Jammu and Kashmir) were enacted from 1953 to 1971. Each of these orders was issued to extend more provisions of the Constitution of India to the State of Jammu and Kashmir. On the same lines, 262 central laws were extended by Parliament to the state from a period of 1954 to 1977. The worth mentioning among them are:

(i) The Companies (profits) Surtax Act, 1964 (7 of 1964)
(ii) The IDBI Act, 1964 (18 of 1964)
(iii) The Legal Tender (Inscribed Notes) Act, 1964 (28 of 1964)
(iv) By the Indian Medical Council (Amendment) Act, 1964 (28 of 1964) the Indian, Medical Council Act 1956 (102 of 1956) applied to the State of Jammu and Kashmir.17

Suppression of Dissent Voices & Electoral Riggings

During the era of Ghulam Mohammad Sadiq the dissent voices were sternly coerced by using police and various other instruments of government. The process of winning elections with rigging and by making mockery continued unchanged even during the period of Ghulam Mohammad Sadiq without any constraints. The rigging of elections in Kashmir went beyond the crude casting of fake votes that take place in say, Pakistan or Bihar. In Jammu and Kashmir such things were done with style and imagination. In 1967 elections to constitute a new Assembly 39 out of total 75 seats were declared elected without any contest as the ruling party has created such a terrible environment that no opposite candidate dared to file nominated papers against the ruling party candidates in the state. In 22 out of 42 seats in the valley the candidates sponsored by the Sadiq-Mir faction were returned unopposed. During this election the nomination papers of 118 candidates were arbitrary rejected on flimsy grounds. Among these 118 candidates, the nomination papers of 55 candidates were rejected on the reason that the candidates had completely failed to take obligatory oath of allegiance to India. Out of total 75 seats ruling party won 62 seats in the state legislature.18 For the first time, simultaneous elections were held to fill 6 seats from Jammu & Kashmir in Indian’s Parliament (the Lok Sabha). For 2 of these-Ladakh and the valley seat of Anantnag-Congress candidates were elected “unopposed”. Another 3 were won by Congress candidates. The irregularities common to both sets of polls included “large scale rejection of nomination papers, arrests of opposition polling agents, advance distribution of ballot papers to congress workers, absence of opposition agents at the time of counting and rampant use of official machinery to the advantage of ruling party”.19

Conclusion

To conclude, notwithstanding the fact that G.M.Sadiq as the Prime Minister/Chief Minister of state, took various effective measure to bring out reforms and institutional changes in the state, however denial of democracy, intolerance of opposition, suppression of dissent voices, election riggings continued to remain the prominent features of his regime. Most of the provisions of the Union Constitution were imposed on the state during governing era of Ghulam Mohammad Sadiq. The nomenclatures of state’s executive and constitutional heads was changed from Sadre-Riyasat and Wazire-Azim to Governor and Chief Minister respectively, thereby putting the status of Jammu and Kashmir at par with other states of Union. The riggings in elections and massive integration of State with the union by way of abrogation of Article 370 of Indian Constitution and by enactment of various Presidential Orders (Application to Jammu and Kashmir) produced a scare of betrayal and alienation on the psyche of people in the state that refused to and is still refusing to heal. Even today various political and non-political parties in the state are vocally demanding the revocation of these Presidential Orders enacted after 1947 and restoration of Article 370 of Indian Constitution to its original position (that grants special constitutional position to Jammu and Kashmir). However, the fact remains that these enactments were undertaken with due concurrence of the successive state governments who governed state more on central lines without any constraints. It was because of these reasons G.M.Sadiq was dubbed by his political adversaries in the state as ‘stooge’ and ‘quisling’.

Notes

5. Promise & Performance, 1965, Government of India, New Delhi, p.2
7. Ibid.
8. Ibid.

www.apjor.com  Vol: 1. Issue LXXXVII, April 2018


**Bibliography**


