

Kashmir: The Desecrated Crown



“BOYS and girls can now talk to each other,” declared the governor of Jammu and Kashmir (J&K) on October 14. He made the comment while announcing the resumption of post-paid mobile phone services in the valley

after a 72-day blockade, imposed on the eve of the Centre’s decision to rescind the special constitutional status that was enjoyed by J&K. The governor asserted that the services were discontinued “because terrorists were using them for their activities, mobilisation and indoctrination.” The buoyant governor claimed that the situation in the valley was now normal and there had been no violence in the last two months. “Not a single bullet has been fired,” he said, adding that there have been no protests either.

However, several civil society fact-finding missions (FFM) to the valley debunked the J&K governor’s contention. The latest report, released on October 13, found that instead of resorting to violence, Kashmiris are resisting the arbitrary move of the Centre “through satyagraha or non-violent civil disobedience.” “Since the entire leadership is in jail—from mainstream parties to the separatist parties—this satyagraha is being carried out by the people themselves,” the report added. “There is some societal coercion, but by and large, this is entirely voluntary. This is not happening on the direction of militants, contrary to the advertisements now being run by government.”

The FFM observed that “even those who were earlier with the Indian government are now completely alienated.” The report noted that the Centre’s promise to integrate the state with the rest of India does not resonate at all with the people of J&K, “(e)specially given that this promise has come with a communication blockade, heavy military presence, severe repression, and the denial of fundamental rights which are in theory available to every Indian citizen.”

While the decision to revoke the provisions of the constitution is perceived as a betrayal of the accession accord by



Barbed wire is seen laid on a deserted road during restrictions in Srinagar, on August 5, 2019.

PHOTO: REUTERS/DANISH ISMAIL

almost all Kashmiris, including those who are deemed to be pro-Indian, a sense of euphoria gripped India. It is undeniable that Hindutva supporters under the current prime minister have been successful in garnering popular support in favour of the move that, according to commentator Neera Chandhoke, violated “every code, every principle, every constitutional sanction protecting federalism.”

The Hindu nationalist agenda appears to have swallowed up all—the media, professional groups and political parties. As Kashmiris remain confined in what can be compared to a giant open prison, the mainstream media, instead of highlighting the manipulation of the constitution and its safeguards, glorified the military occupation and large-scale internment of the people. Pro-establishment constitutional lawyers were busy conjuring convoluted arguments in defence of the act, and intellectuals offered

self-serving explanations that the abrogation would ensure Kashmir’s development and was, thus, for the own good of the Kashmiri people.

This is for the first time in the 72 years of the Indian republic that such a change in status, from state to union territory, has taken place. Bizarre as it is, the government of Telangana, a state that secured statehood through mass mobilisation in 2014, supported this demotion. So did Arvind Kejriwal, the chief minister of Delhi, who is battling for the statehood of the territory he rules. It appears that there is little recognition among state governments about how appalling a precedent this relegation has established.

The abrogation move has generated a feeling of long-awaited victory in some quarters. An excited BJP legislator urged fellow Indians to “marry those white women” (of Kashmir) and the BJP-run government

of Maharashtra, the richest Indian state, announced that it would buy land and build resorts in the valley.

While the rest of India celebrates the full absorption of Kashmir into the Indian Union, the Kashmiris endure unbearable hardship. Political leaders of the state including those belonging to mainstream parties have been detained and remained incommunicado for unspecified periods. Many are fearful to challenge their detention in High Court, as such an act might result in being charged under the J&K Public Safety Act, a preventive detention law. Allegations are rife that the authorities are exerting pressure on those detained to sign a bond that would effectively entail restrictions to speak freely as well as to their political activities. Taking advantage of a decimated opposition with most political leaders being in custody, the government is busy engineering a “democratic process” by holding elections of the block development councils on October 24. Pundits predict a BJP sweep of the unfair polls.

Children were not spared from the draconian public safety measures. There have been cases in which boys aged between 14 and 16 were held under the Public Safety Act and sent to Uttar Pradesh jails. This has been done in direct violation of the law. In 2012, the J&K assembly passed an amendment to PSA that made it illegal to hold minors (those below the age of 18) under the Act. On October 1, in a submission to the Supreme Court, the state police acknowledged that it had detained 144 children since August 5; lawyers say a number of cases of child detention have gone unrecorded because the police do not acknowledge that the detainees are minors.

It has become extremely difficult to access justice in J&K. The restrictions on the internet, lack of public transport and suspension of services by India Post had made Srinagar courts inaccessible. The situation was further compounded by a strike of the Bar Association of Kashmir to protest the arrests of the presidents of the Bar Association and the High Court Bar. The lawyers claimed that such arrests were meant to intimidate the legal fraternity. The Kashmir Bar Association has a track record of fighting *pro bono* cases involving human rights violations. Lawyers stated that the strike was also in solidarity

with the larger civil shutdown to protest the scrapping of Article 370.

The Kashmir clampdown has taken a toll on the academic life of the state. Despite government efforts to resume classes, educational institutions remain shut as students feel threatened by the presence of security forces. Lack of communication impeded the admission efforts of Kashmiri youth in universities across the country and overseas. Weeks ago, professors of six reputed scientific institutions called for the preservation of campus integrity in blockaded J&K. They noted that the Indian government’s support for science and technology becomes merely symbolic without academic freedom and open communication on campuses, which are fundamental to a democratic society.

Healthcare services in the valley are also adversely affected. FFM and international media have reported mounting and credible evidence of an impending “health care crisis”. The social fabric of Kashmir is under great stress. Prolonged fear and uncertainty, lack of communication with family members and restrictions on civil liberties and freedoms of expression, information, assembly, movement and religion are taking a huge toll on all Kashmiris. Family members could not wish their loved ones on Eid Day, nor could they observe Ashura in its usual form.

Prime Minister Narendra Modi has claimed that through abrogating the special status of Kashmir, India has regained its rightful crown. His associate Amit Shah bragged about taking a significant step towards achieving “Akhand Bharat” (Undivided India). Little do these leaders understand that regional autonomy is indispensable for India’s plural and complex society and any homogenising effort backed by brute force only triggers resentment and resistance that cannot be matched by military measures. Perhaps the time has come for the Indian legislators to reflect on Dr Ambedkar’s statement in the Constituent Assembly that “the beauty (of the Constitution) depends on how it is implemented.” There is little doubt that by abrogating Article 370, Mr Modi has desecrated the crown he cherishes.

CR Abrar is an academic and rights worker.

The silent killer lurking in the air

Air pollution in Dhaka has reached an alarming level. We must act now.



“SURPRISING as it may seem to some, non-smokers in Bangladesh can die of lung cancer, and we are not talking about passive smoking here.” Dr Chandra Prakash Dkwal,

a senior consultant for respiratory medicine at the Apollo Hospitals Dhaka, says he has found younger non-smoking patients suffering from lung cancer due to exposure to air pollutants in the city. He also mentions that during the dry, winter season (November-March), the air particle concentration increases along with fog, and the particulate matter (PM) remains suspended in the air for a longer time, which precipitates health hazards among people with respiratory diseases. Over the years, respiratory diseases have increased in Dhaka as it emerged as one of the most polluted cities in the world, in terms of the annual average PM 2.5 concentration. The so-called fine particulate matter or PM 2.5, is an air pollutant that risks people’s health when average levels in air are higher than 35 micrograms per cubic metre for 24 hours. According to IQAir AirVisual, Dhaka scored 192 as of yesterday, ranking as the second most air-polluted major city in the world, after China.

However, countries like China have made significant strides in the fight against air pollution showing remarkable recovery. The average levels of PM 2.5 concentrations in China had dropped by 9 percent in 2018 compared to 2017. Latest data from the Chinese Ministry of Ecology and Environment shows that some 120 Chinese cities met national air quality standards in the first five months of 2019.

With an enormous investment of time, resources and political will, China has brought evident changes. The reduction came from the Chinese government taking strong measures to control coal-fired boilers, provide cleaner domestic fuels, and industrial restructuring. China is providing us with a roadmap to fight air pollution. So, why are we still lagging behind other developing countries in terms of taking appropriate measures to tackle this life-threatening condition?

One of the major reasons for Dhaka to dominate the list of most polluted cities in the world is the rise in commercial and construction activities in recent years. The two major sources of air pollutants in the city come from industrial and vehicular emissions. The vicinity of Dhaka has around 2,295 brick kilns (according to the latest Department of Environment report) which emit fine particles in the air, accounting for a staggering 58 percent of the overall air pollution in the capital.

Also sharing the blame for air pollution, the ongoing metro rail construction project has led to traffic congestions in most of the significant parts of the city, exposing everyday

commuters and pedestrians to not only fume emissions from old, unfit vehicles, but also dust particles generated through the frictions of heavy trucks and cars with the roads, along with dust particles generated at the construction sites. The latest study by the Norwegian Institute for Air Research (NILU) under the Clean Air and Sustainable Environment project attributed about 10.4 percent of fine particles in Dhaka to vehicular emissions and 7.7 percent to road dust.

Apart from that, smoking, burning of fossil fuels from air conditioners, coal-fired power plants and outdoor burning—burning of municipal and agricultural waste—emit nitrogen oxides rendering the air quality of the metropolis “unhealthy.”

This silent yet deadly killer—air pollution—has been disrupting our life for long. According to the WHO, five out of ten deaths in Bangladesh are caused by air pollution. We often overlook the short-term discomforts like eye irritation, headache, dizziness, sneezing and



STAR FILE PHOTO

coughing from breathing in toxic air and end up facing long-term consequences. Fine particles in polluted air can enter deep into our lungs and cardiovascular system, causing diseases such as stroke, chronic obstructive pulmonary diseases (COPD), asthma, bronchiolitis, respiratory tract infections, and so on. According to the National Institute of Diseases of the Chest and Hospital (NIDCH), nearly seven million people in Bangladesh suffer from asthma, over half of them children.

For a sustainable solution against the scourge of air pollution, we need to start by targeting the key polluters (brick kilns and vehicles) and take effective measures to reduce the gaseous emissions from the sources. The government should develop a database software for the brick kilns, which will contain information like registrations, type of technology

being used, chimney height, address and owner details. The database will not only help monitor the stack emissions (gases that come out of the chimney during the burning process) and ambient air quality, but will also aid in decluttering the number of brick kilns built in one particular area. Also, regular inspection and enforcement programmes should be conducted to ensure that the kilns are using modern and environment-friendly technology in compliance with the Brick Production and Brick Kiln Building (Control) Act of 2013 (amended in 2018).

Besides, collaborative efforts by the two Dhaka city corporations, Bangladesh Road Transport Authority (BRTA), Dhaka Transport Coordination Board (DTCB), the Dhaka Metropolitan Police (DMP), and bus owners and operators will help minimise the vehicular emissions and dust. Beginning with a comprehensive vehicle emission inventory in Dhaka, BRTA should start working on dumping old buses and trucks. Also, the DMP must play

overbridges, pedestrian paths and traffic signals to better maintain the traffic flow. The people must sincerely use foot overbridges to reduce traffic congestion. Traffic signals should also be strictly adhered to by the drivers of various vehicles.

We also need the public to develop a stronger sense of environmental responsibility. The Department of Environment (DOE) should focus on conducting mass awareness campaigns to highlight the impacts of local and global emissions from the transport and industry sectors. Third parties like environmental organisations can promote better understanding of air quality knowledge, a sense of environmental responsibility, and encourage participation of the young people in environmental actions like tree-planting, workshops on smoking hazards, etc.

With the help of the government, the NIDCH can conduct widespread health awareness campaigns to help citizens understand the health symptoms

an active role in conducting routine inspections on roads and vehicles, and if any vehicle owner fails to show fitness registration papers, they should be penalised as per traffic rules.

Upon High Court orders, the two DCCs had initiated projects to spray water on primary roads to reduce dust pollution, but the plan did not bring much relief. While the trucks sprayed water at a slow pace on their designated routes, irregular traffic flow following the trucks aggravated the citizens’ dilemma. Traffic congestion can be minimised by developing better infrastructure and alternative routes to commute.

In order to reduce air pollution, better public transport management along with better traffic and parking management are required, among other measures. The government must install more foot

and take preventive measures which may include giving away air-filtering masks to pedestrians at areas which are particularly prone to air pollution, build free health check-up camps outside schools and offices, etc. Further, smoking should not be allowed everywhere, and with a few designated areas for smoking, the number of passive smokers will also decrease.

However, it is the government that has to play the leading role in improving the air quality of Dhaka by enforcing strong policies on the environmental issues. Citizens must also come forward and help the government, abiding by the laws and restraining themselves from augmenting fine particles in the air through smoking, driving unfit vehicles, and burning fossil fuels.

Joana Nomrta Mazumder works at The Daily Star.

ON THIS DAY IN HISTORY



October 20, 1973
OPENING OF SYDNEY OPERA HOUSE

Australia’s Sydney Opera House—designed by Danish architect Jørn Utzon, whose dynamic, imaginative, but problematic plan won an international competition in 1957—was opened by Queen Elizabeth II on this day in 1973.

CROSSWORD BY THOMAS JOSEPH

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YESTERDAY’S ANSWERS

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