

In the Depth: Article 370

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ABSTRACT

The Article 370 was given the special privilege to the JAMMU AND KASHMIR. This privilege contains various own features to the JAMMU AND KASHMIR. But, on 5th August 2019 the parliament gave decision to the removal of ARTICLE 370. Along with the article 370 the article 35A also scrapped from the constitution. The ARTICLE 35A defines to follow the special state laws to JAMMU AND KASHMIR. With the removal of ARTICLE 370 the Indian constitution laws are followed by the peoples of JAMMU AND KASHMIR and also the state are divided into two union territories. This decision is taken to improve the peoples personal and economical condition.

In this research paper I am try to showcase both the sides of this decision and also conclude the peoples different prospective.

Keywords: Constitution, removal, privilege, article 370, scrapping, status

OBJECTIVE

- To understand the both the effect of this removal.
- To give some suggestion and recommendation.

To collect more information about removal of article 370

RESEARCH AND METHODOLOGY: I purely used secondary research method.

INTRODUCTION

When we heard about the Jammu and Kashmir, we think about wars and movements. But Jammu and Kashmir is real about the beauty of nature, fresh air and out of mind locations and also they are holding the monopoly in market for walnuts, cherry, apricots. Most essential dry fruits like ALMONDS And SAFFRON are produce only in JAMMU AND KASHMIR. How we can forget about the Kashmiri apples! We all are love in the Kashmiri apples. JAMMU AND KASHMIR always being a centre of attraction for tourist. Our ancestor called the JAMMU AND KASHMIR real heaven of the earth.

On the 5th August 2019, the JAMMU AND KASHMIR changed foreverly the AMIT SHAH, Union Home Minister Of India proposed to not only revoked ARTICLE 370 in the constitution on Parliament, but also the bifurcation of the state into two union territories. This proposal is greeted by the INDIAN citizens but, the politicians of JAMMU AND KASHMIR is not happy with this decision.

ARTICLE 370 gives special privilege to the JAMMU AND KASHMIR. When the INDIA got the freedom or independent on 1947, the JAMMU AND KASHMIR offered a special status. JAMMU AND KASHMIR have kept there separate flag, constitution and autonomy over the internal administration of the state. ARTICLE 370 become the medium to connect the JAMMU AND KASHMIR & INDIA. But the power of central government is applied on three areas i.e. EXTERNAL AFFAIRS, DEFENCE & COMMUNICATIONS. There is another ARTICLE for JAMMU AND KASHMIR. According ARTICLE 35 A, The outsider of jammu and Kashmir cannot buy land and property in JAMMU AND KASHMIR, also they not applicable for government job and educational scholarships. On the citizens of Jammu and Kashmir can give there votes.

OBSERVATION

After 5th August 2019, the ARTICLE 370 and ARTICLE 35A, is scrapped from the JAMMU AND KASHMIR. This decision changed the various aspects in JAMMU AND KASHMIR:

Before scrapping the article 370 JAMMU AND KASHMIR can kept there own separate NATIONAL FLAG. But now they are oblige to respect the National flag of INDIA .

JAMMU AND KASHMIR was also have power to created there seprate constitution , but in 2019 they will abide by the supreme law of INDIA , constitution of INDIA .

ARTICLE 370 gives dual citizenship to the peoples of the country i.e Indian citizenship and Jammu and Kashmir citizenship , after removal of article 370 all the peoples of j&k wiil be respect as citizens of INDIA.

J&K also had there own national antham rather than indian national antham but now they would forgive it and respect & honour to the INDIAN NATIONAL ANTHAM .

As per the ARTICLE 370 , J&K followed the state laws . Now , all the central laws are applied & followed by the J&K .According to the Union Home Minister , Amit Shah the total 106 central law will be applicable on J&K . Beside the Defence , Foreign Affairs , Finance & Communication need to get State Government approval for any other decision .With the revoked of article 370 the parliament need not to get approval of state government for conducting any law. Also have the power to change states name & its bounderies . As per the article 370 there are three regions JAMMU , KAHMIR AND LADAKH . It is now seprate two union terriorties : JAMMU AND KASMIR one and another one is LADAKH

Before scrapping the article 370only the citizens of J&K was sell and buy the property In the J&K . On the present day it opens to whole world.

CONCLUSION

Different people have there different prosective like positive or negative . When the bill is passed for scrapping of article 370 , lots of controversies are created . The peoples are divided on two sides . One who is supported to this decision and another one who against this decision . The people who are supported to this decision they saw J&K in future like :

INDIANS & other people can buy or sell the land or property which resulted for increasing price of lands & help to growing economic development in J&k .

The large number of peoples can invest in J&K .The students will get the education scholarship from J&K Universities . There will be also increase in job opportunities & the terrorism will be less .

The peoples who against this decision because of :

The residential people of J&K argue that they didn't have any idea about this decision and they have kept in house arrested .

Decision is taken beside the J&K peoples .Many days they not connected to outside from J&K because of Bandhs , Large number of army forces and also there internet connection and other communication media stop for many days .

But this decision is resulted in positive or negative direction will be decided by the J&K peoples who suffered in day to day life .

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