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Saturday

Explain article 370 and 35A of India, what are its repercussions and how Pakistani Government has responded?

INTRODUCTION

Article 370 and 35A of the Indian Constitution granted Jammu and Kashmir special autonomy for decades. These articles allowed the region to have its own laws and gave residents exclusive rights to property and jobs. Despite UN Security Council Resolutions 47 and 91, which called for a plebiscite to decide the region's future, India revoked them on August 5, 2019.

The abrogation not only erased the region's autonomy and special status but also raised fears of demographic changes. Pakistan condemned the action as "unilateral and illegal", claiming it violated international law and against the UNSC resolutions. Not only this, Pakistan downgraded diplomatic ties too, and raised the issue on international forums for global support.

1. Article 370:

Article 370 was added to the Indian constitution in 1949. It gave Jammu and ~~Jamdk~~ Kashmir special autonomous status, allowing the state to:

- i- Have its own constitution, flag, and laws.
- ii- Limit the Indian Parliament's power over J&K.
- iii- Restrict the Indian Supreme court's authority to issue writs in J&K.

2. Article 35A:

Article 35A was introduced in 1954 through a presidential order. It allowed the J&K state legislature to define "Permanent residents" and grant them special rights, including:

- i- Right to own and transfer the property.
- ii- Employment in state government jobs.
- iii- Access to scholarships and other benefits.

Repercussions of Repeal of Articles:

On August 5, 2019, the Indian government, announced the repeal of Article 370 and 35A through a Presidential order. Following are some key repercussions of this move:

1. Loss of Autonomy:

The repeal of Article 370 has led to a significant erosion of J&K's autonomy and special status.

2. Increased Central Control:

After the revoke of Article 370 and 35A the influence of Indian Parliament and Supreme court has significantly raised over ^{the} state, and now Indian government has greater control over the state's affairs.

3. Restrictions on Fundamental Human Rights:

The repeal of Article 35A has raised concerns about the potential restrictions on the fundamental rights of the people of J&K, particularly with regard to property ownership and employment.

4. Increased Militarization:

The Indian government's move has led to an increased militarization of the region, with a significant deployment of security forces, particularly in Kashmir valley.

5. Human Rights Concerns:

The situation in J&K has raised concerns about human rights violations, including reports of arbitrary detentions, torture, and restrictions on freedom of speech and assembly.

Response of Pakistani Govt:

The Pakistani government has strongly condemned the Indian government's move, terming it a "unilateral and illegal" action. Pakistan's Prime Minister, Imran Khan, has stated that the move is a "clear violation" of international law and against the

UN security council (UNSC) resolutions on Kashmir. Pakistan has also taken several diplomatic steps which includes:

- i- Downgrading diplomatic ties
- ii- Pakistan called for an emergency UN security council meeting to discuss the situation in J&K.
- iii- Pakistan has reached out to the international community, like the USA, China, and EU, to express its concerns and seek global support.

Conclusion:

The repeal of Article 370 and Article 35A from Indian constitution has eroded Jammu and Kashmir's autonomy and special status. Pakistani government has strongly condemned this move as it is against the UNSC resolutions on Kashmir and violation of international law.
