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ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ, ಸಂಶೋಧನಾ ಹಾಗೂ ಉಲ್ಲೇಖನಾ ಶಾಖೆ
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ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
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SC to hear Article 370
petitions from today

JH - 10/12/2019
Centre's decision on J&K challenged

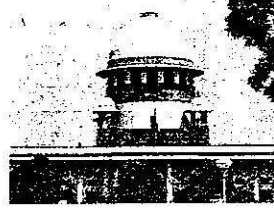
LEGAL CORRESPONDENT
NEW DELHI

A Constitution Bench of the Supreme Court, led by Justice N.V. Ramana, will on Tuesday begin hearing a bunch of petitions challenging the Centre's decision to abrogate the special rights of the Kashmiri people by diluting Article 370 and to reorganise the State of Jammu and Kashmir into the Union Territories of Jammu and Kashmir and Ladakh.

The Bench had earlier chosen not to stay the implementation of the Jammu and Kashmir Reorganisation Act, 2019.

In a detailed affidavit, the Centre had justified the decision, claiming that the presence of Article 370 in the Constitution for over seven decades had created a "separatist mindset" among the Kashmiris.

The 61-page counter-affidavit of the Ministry of Home Affairs had said Article 370 was "replaced" on August 5 to "fully integrate" the "erstwhile" State of Jammu and Kashmir with the rest of the country. A temporary provision like Article 370 was neither in the interest of the nation, nor that of



Jammu and Kashmir, it argued. "The militants and separatist elements, with the support of foreign forces inimical to India, were taking advantage of the situation... The residents of the erstwhile State were denied benefits of the rights guaranteed by the Constitution to all other citizens of the country," it said.

The Ministry was replying to 34 separate petitions filed by persons from various walks of life. They have challenged the dilution of Article 370, the source of special rights given to the Kashmiris under Article 35A, and the subsequent bifurcation of the erstwhile State into two Union Territories.

The government had claimed that Article 35A itself was ambiguous and a "serious obstacle" to the socio-economic development of Jammu and Kashmir.