Acceptance of Politics Parties about the Revocation of Article 370

Dr. Arti
Assistant Professor, Political Science,
Gangasheel Mahavidyalaya ,Faizullahpur, NawabGanj,
Bareilly, Uttar Pradesh-India
artibansal8080@gmail.com

DOI: 10.52984/ijomrc1306

ABSTRACT

Article 370 of Indian Constitution that offered a special status to the state of Jammu Kashmir .It is also divided the state of Jammu Kashmir in to Union territories, Union territory of Jammu and Kashmir and Union territory of Ladakh .The demand for abrogation of Article 370 was a part of chauvinistic nationalist discourse that wanted to rid Kashmir of its unique status, This anti Kashmir politics has been much part of Jammu's political vocabulary. In some ways, to the residents of Jammu Article 370 implied Kashmir's political dominance as Kashmiri Leadership used it to denied resident status to many group such as West Pakistan Hindu refugees of Punjabi Dalits who had settled in Jammu back in 1950s.On 5 august 2019 Indian government took a strong decision by moved a resolution to effectively abolish Article 370, which gives special powers to the state of Jammu and Kashmir. The government also introduced a Bill to divide the state into two Union territories -- Jammu and Kashmir, Ladakh. The emphasis of this research is that what are the positive Impact on Growth & Stability and The Negative Impact of revocation of 370 and how different political parties reacted to the revocation of Article 370 from Kashmir. Analysis and concrete viewpoint of politician have been amalgamated in this paper.

Keywords: **Article 370, Article 35A, Revocation of Article 370, J&K and Ladakh, Minority communities, Political Parties,**

Introduction:

At the time of partition of India in 1947 into two separate countries - India and Pakistan, the State of Jammu & Kashmir like other princely states of India, was under the rule of Dogra King Maharaja Hari Singh. The King faced an uprising and attack by his Muslim subjects who connived with Pakistan's Pashtun tribal Kabailis. The Pakistan's Pashtun militia crossed the border of the state in October 1947. Maharaja, who earlier did not want to merge Kashmir with India, made a plea to India for assistance when he witnessed the threat from the Kabailis. The request was accepted by Government of India but the help was offered subject to his signing an Instrument of Accession to India.

In 1948, Pakistani armies also entered the war supporting these Kabailis and before they were driven away by Indian Army, they forcibly captured some parts of Kashmir which had already become the integral part of India. These parts were never returned by Pakistan and after ceasefire in the midnight of December 31, 1948, a Line of Control was drawn between the two countries. Since 1948, India has been claiming back the Pakistan occupied Kashmir which is considered as the integral part of Republic of India.

Later, many organizations in Kashmir, including the king himself wanted that the constitution

of India should be fully implemented to the State of Jammu & Kashmir but Shaikh Abdullah who advocated abolition of monarchy wanted a separate constitution for the state. A constituent Assembly was formed in 1951 to look into the matter and the Article 370, granting special status to Jammu & Kashmir was inserted in the Constitution of India. The Constituent Assembly of Jammu and Kashmir which was an elected body unanimously resolved on 15 Feb 1954 that the entire princely state of Jammu and Kashmir is an integral part of India.

The matter was taken to United Nations which resolved that a plebiscite be conducted both in PoK and Jammu & Kashmir. For this Pakistan had to withdraw its army from it occupied Kashmir. India agreed to plebiscite in Kashmir under the UN resolution adopted in 1948, but Pakistan subverted the UN resolution by transferring some of POK parts to China in 1965 and bifurcating the POK into two parts in 1970. This has resulted in demographic and legal changes in the PoK nullifying the UN Resolution. In the year 2019, a history was created in the Constitution of India where Article 370 was abrogated from the Constitution of India by the ruling party of BJP Government. On 5th August, 2019.

After the Indian government dismiss Article 370 in Jammu and Kashmir opinions regarding the decision started blowing .The Kashmiries living in valley were highly disappointed by the central Government and claimed that abrogation of 370 has cut their wings off.Some were claimed that ammu and Kashmiwas chosen because it was Muslim majority state and this decision of Government is based on religion .special status was the bridge between India and Kashmir and now it has been broken.[i]

Article 370 Revocation: Positive Impact on Growth & Stability

Equality Before Law: The minority communities in reorganized union territories of Jammu & Kashmir and Laddakh will have equal rights as that of majority Muslim community as the Constitution of India will be applicable without any obstacle. Fast Pace of Development: Apart from streamlining the Union Government Funds assigned for development the pace of development in Kashmir and Laddakh may go up with PPP model and private investments. Curb on Terrorism: Many political leaders and separatist groups used to operate under the cover of Article 370 and supported the terrorist activities directly and indirectly. The security personnel provided to these separatists were killed at the behest of these separatists. Now with no hidden law, the direction action against the terrorist groups can be taken with an aim to bring the misguided youth to main stream. Education as a Right to All: Government of India can establish higher educational institutions in the Kashmir valley to provide greater learning opportunities. Kashmiri Women to gain Most: So far Kashmiri women were deprived of their fundamental rights of property. The abrogation of Article 370 will ensure that do not lose their rights on land and property even if they get married to any Indian in any State. No Fear of Triple Talaq: With the abrogation of Article 370 and 35A, the law of the land will apply. It will give right to muslim women against triple talaq as is available in other states. Resettlement of Hindu Minority: The abrogation of Article 370 will help in resettling the uprooted Kashmiri Pandits back home. Most of them wish to go back to Kashmir to their homes. Government has assured them security. As the J&K is a part of the country, students and people of the country can apply for the jobs in the Union Territory. The people from Kashmir are now allowed to travel around the world without any restrictions and can show their talent to the world. West Pakistan Refugees will now enjoy all democratic rights as citizens of the country . They will be given citizenship and property rights. Property and all other rights of women marrying outside the State will now be fully protected and All women will now retain full and legal rights on land and all other rights . Central Acts and Laws protecting the rights of women and children to be made fully applicable to the Jammu and Kashmir.

The Negative Impact

The abrogation of Article 370 has not gone down well especially to elite Kashmiri political leaders, separatists and terrorist groups. They are hell bent to flare up tensions in the valley. This has caused security concern for common people. The reorganization of state of Kashmir into two union territories of Jammu & Kashmir and Laddakh is although welcomed by Laddakh as it did not get fruits of development during past 70 years, Kashmir has lost its full state hood. However, the Government would restore it once the things get better in Kashmir. Since J&K has become a Union territory, the central government must now ensure that funds are deployed properly and don't get into the pockets of a few families and their cronies. It will take time before industry finds Kashmir a safe place to invest. Pakistan will also try to shoot up its terrorist game. When the US withdraws its troops from Afghanistan, Taliban's terrorists will be available to Pakistan to be re-directed towards Kashmir.The doubting Kashmiri Muslim must be made to realize that Article 370 brought more negativity in his life. It was because of this article that he was kept alienated from his nation for seven decades.

Along with the employment, the education of many students was crumbled due to the abrogation of Article 370. Many students were not able to go to school for the past one year. Also, many students and graduates who were preparing for the competitive exams were not able to fill the online forms, did not have access to different online sources for study or submit their research papers due to the internet blockage in the country.[ii]

Step of Political Parties

Senior CPI(M) leader Brinda Karat demanded the "release" of political leaders in Kashmir and questioned the abrogation of Article 370 without any reference to the people of the state.[iii]

Indian Home Minister Amit Shah said Under the umbrella of Article 370 three families fraud Jammu and Kashmir for years. Indian Defence Minister Rajnath Singh said there was no option with the government other than abolishing articles 370 and 35A related to special status to Jammu and Kashmir in the Constitution if there is a demand for a separate prime minister for the terrorism-affected state.[iv]

Revoking Article 370 of the Constitution has been a key part of the BJP's core agenda,

Mayawati-led Bahujan Samaj Party extended its support to the BJP on the scrapping of Article 370 and bifurcation of Jammu and Kashmir.

Aam admi party chief Arvind Kejriwal said he backed the Centre's decision and hoped it would bring "peace and development" in the state

YSR Congress chief Vijaysai Reddy support to the central government and said this subject has affected the country for many years. He termed this as a courageous decision by Home Minister Amit Shah to solve it.

The Biju Janata Dal also said that it was in favour of removing Article 370. "Today, Jammu and Kashmir has become an integral part of India," he says while supporting the Bill."We are a regional party. But for us, the nation comes first. Our party supports the resolutions.

Telegu Desam Party said that it supported the BJP government on Kashmir. Tweeting the party stand, TDP chief Chandrababu Naidu said, "Telugu Desam Party supports the Union government as it seeks to repeal Article 370. I pray for the peace and prosperity of the people of J&K.".

A.Navaneethakrishnan (AIADMK) said he welcomes the statutory resolutions and the Bills. He said."There is nothing to worry,".

The Shiv Sena on Monday welcome the Centre's decision on Article 370. BJP's other allies like Shiromani Akali Dal, AGP and BPF have also supported the legislation.

Terming the revoking of Article 370 a "catastrophic step", the Congress accused the BJP of taking the decision "for votes" and said it marks a "black day" in the constitutional history of India.

Congress leader Ghulam Nabi Azad Monday charged that the Kashmir's head, considered as India's crown, has been "chopped off" and its identity removed. Congress leader Kapil Sibal said, "Congress won Kashmir and you lost Kashmir". Digvijaya Singh, Senior Congress leader and Rajya Sabha member "A diabolical and dictatorial plan of Modi to finish democracy in Kashmir. No stakeholder knows what's in store in J&K except Modi Doval and Amit Shah.

"We stand with people of Kashmir & Kashmiriyat as strongly as we stand for India and democracy. Senior Congress leader P Chidambaram said, "We anticipated a misadventure, but did not think in our wildest dreams that they will take such a catastrophic step."

"Today is a black day in the constitutional history of India,"

People's Democratic Party chief and former Jammu and Kashmir chief minister Mehbooba Mufi said "India has failed Kashmir in keeping its promises".

National Conference leader Omar Abdullah said it was a total "betrayal of trust" of the people of Jammu and Kashmir.

JDU said that it will not support the government's Kashmir provisions.

The DMK strongly condemned the Centre's move saying it was a "murder of democracy". Party chief MK Stalin accused the BJP-led Centre of being only concerned about implementing its ideological agenda and not respecting the sentiments of the people of Jammu and Kashmir, who stood behind India.

Opposing the move, Manoj Kumar Jha of Rashtriya Janata Dal said the (abolition of) Article 370 was not possible to execute in this lifetime.

Left leaders also expressed their opposition. While CPI general secretary D Raja said the "regressive step will further alienate the people of J-K", CPI(M) termed it an "attack" on the Constitution.

Joining the chorus of Opposition parties, the Trinamool Congress said on Monday that the government has committed "procedural harakiri" by scrapping the provision which gave special status to Jammu and Kashmir. "Trinamool is against the Constitutional immorality and procedural harakiri committed today," TMC Rajya Sabha member and national spokesperson Derek O'Brien said.

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Nationalist Congress Party's Vandana Chavan criticised the "method" adopted by the Central government to push through its decisions on Jammu and Kashmir in the Rajya Sabha and said her party will abstain from voting. [v]

Conclusion

The article 370 was a temporary provision and The end of Article 370 from the Jammu and Kashmir became the golden future for new India, which shows the equality between the citizen of India and Kashmiris .Our Indian government took a brave decision to improve the .The members of national and state level political parties shows a strong stands for this decision of Indian government .Some political parties are still supporting to Article 370 for their vote bank only they want that people of Kashmir will always busy in conflict with Indian army , but for the better life of Kashmiris it was necessary. General public were shown bright future and ease of life after removal of

article 370. Now Kashmiries can avail all facilities same as citizen of India. There will a single constitution in india from Kashmir to Kanyakumari. As now we are seeing the changes in kasmir as in District Development Council (DDC) election, BJP has won just three seats in the Kashmir Valley, its significance is huge. Despite the coming together of most political parties in J&K against the BJP, the saffron party has registered a big victory in the Hindu-majority districts of Jammu division BJP was always seen as an untouchable party in the Valley. It's winning three seats breaks the perception.[vi] The conclusion showing that now people of Jammu and Kasmir accepting to the enteral government of india.

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