Syllabus subtopic: Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

News: Jammu and Kashmir is no more a state; it has been divided into two Union Territories. After the Jammu and Kashmir Reorganisation Act, 2019 coming into effect from 31st October 2019, India will have 28 States and 9 Union Territories.

Subsequent Changes in Jammu and Kashmir, and Ladakh:

2. The Union Territory of J&K will have a legislature while the UT of Ladakh will have no legislature.
3. Both the Union Territories will have Lieutenant Governors as administrators who will be appointed by the President of India. Their tenure will be determined by the President.
4. Four sitting members of the Council of States representing the existing state of Jammu and Kashmir shall be deemed to have been elected to fill the seats allotted to the Union Territory of Jammu and Kashmir.

Legislative assembly of J&K:

2. The Election Commission may conduct the elections to the House of the People for the Union Territory of Jammu and Kashmir as per the allocation of seats specified in the Delimitation of Parliamentary Constituencies Order, 1976 as amended by this Act.
3. The provisions which are applicable to “Union territory of Puducherry” shall also apply to the “Union territory of Jammu and Kashmir.
4. The total number of seats in the Legislative Assembly of the Union territory of Jammu and Kashmir to be filled by persons chosen by direct election shall be 107.
5. Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assembly of Jammu and Kashmir.
6. There shall be a Council of Ministers consisting of not more than ten per cent of the total number of members in the Legislative Assembly, with the Chief Minister at the head to aid and advise the Lieutenant Governor in the exercise of his functions in relation to matters with respect to which the Legislative Assembly has the power to make laws.

Abolition of legislative council:

- On the abolition of the Legislative Council, every member thereof shall cease to be such members.
- All Bills pending in the Legislative Council immediately before the appointed day shall
Powers of Lieutenant Governor:

- The Lieutenant Governor of Ladakh shall be assisted by advisor(s) to be appointed by the Central Government.
- Lieutenant Governor of Union territory of Jammu and Kashmir may nominate two members to the Legislative Assembly to give representation to women, if in his opinion, women are not adequately represented in the Legislative Assembly.
- The Chief Minister shall be appointed by the Lieutenant Governor and the other Ministers shall be appointed by the Lieutenant Governor on the advice of the Chief Minister.
- The Ministers shall hold office during the pleasure of the Lieutenant Governor and the Council of Ministers shall be collectively responsible to the Legislative Assembly.
- Before a Minister enters upon his office, the Lieutenant Governor shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Fourth Schedule.

High Court:

- The High Court of Jammu and Kashmir shall be the common High Court for the Union territory of Jammu and Kashmir and Union territory of Ladakh.
- The Judges of the High Court of Jammu and Kashmir for the existing State of Jammu and Kashmir holding office immediately before the appointed day shall become on that day the Judges of the High Court.
- The expenditure in respect of salaries and allowances of the Judges of the common High Court shall be allocated amongst the Union territory of Jammu and Kashmir and Union territory of Ladakh on the basis of population ratio.

All India Services officials:

- The members of the cadres of Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing State of Jammu and Kashmir, on and from the appointed day, shall continue to function on the existing cadres.
- The centre will be in direct control of the Jammu and Kashmir police and law and order matters.

About Ranbir Penal Code

- Indian Penal code is not applicable to Jammu and Kashmir and in place of IPC, a similar criminal law Ranbir Penal Code applies in the state.
The code was introduced by Ranbir Singh during the Dogra Dynasty and it came in effect from 1932. The provision of code was prepared by Thomas Babington Macaulay.