Government brings Resolution to Repeal Article 370 of the Constitution

Context

Union Minister for Home Affairs, Shri Amit Shah, introduced two bills and two resolutions regarding Jammu & Kashmir (Js&K)

Bills and Resolutions

Constitution (Application to Jammu & Kashmir) Order, 2019 (Ref. Article 370(1) of Constitution of India) – issued by President of India to supersede the 1954 order related to Article 370.

Resolution for Repeal of Article 370 of the Constitution of India (Ref. Article 370 (3))

Jammu & Kashmir (Reorganisation) Bill, 2019 (Ref. Article 3 of Constitution of India)

Jammu & Kashmir Reservation (2nd Amendment) Bill, 2019

Significance

Announcing a path-breaking decision by the Government, the Government is moving a resolution which would repeal the provisions under Article 370 of the Constitution of India, which granted a special status to the state of J&K.

The provisions of Article 370 would cease to exist from the date President of India issues a notification in this regard, after the recommendation of the Parliament.

Under Article 370(3), there is a provision that President, on the recommendation of the Parliament, has the power to amend or cease the implementation of article 370, through a public notification.

Consequently, the Constitution of India would get applicable to J&K, on par with other states/UTs of the country.