

**03 SC verdict endorses PM's visionary policies for J&K: Chugh**

**06 SC verdict on seditious Article 370 is nation's splendid victory**

**10 JKPS Kunjwani excels in judo, football**

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## SC upholds abrogation of Article 370, calls for polls by Sep 2024

### Key points from the SC's judgment

- ▶ CJ D Y Chandrachud said that the five-judge bench made three judgements in the matter, and all were unanimous.
- ▶ Every decision taken by Union on behalf of the State is not subject to challenge, as this would eventually lead to chaos and uncertainty and would bring the administration of the State to a standstill, CJI said.
- ▶ The Supreme Court said the argument of petitioners that the Union government cannot take actions of irreversible consequences in the State during Presidential rule is not acceptable.
- ▶ The Supreme Court says it holds that Jammu and Kashmir did not retain an element of internal sovereignty after it acceded to India.
- ▶ SC held that Jammu and Kashmir became an integral part of India as evident from Articles 1 and 370 of the Constitution of India.
- ▶ Reading out the judgment CJI said, SC holds Article 370 was an interim arrangement due to war conditions in the State. Textual reading also indicates that Article 370 is a temporary provision.
- ▶ The Supreme Court held that the power of the President to issue a notification that Article 370 ceases to exist subsists even after the dissolution of the J&K Constituent Assembly.
- ▶ The Supreme Court said Article 370 was meant for the constitutional integration of Jammu and Kashmir with the Union and it was not for disintegration.
- ▶ J&K does not have internal sovereignty different from other states of the country, the CJI said.
- ▶ The Constituent Assembly of J&K was never intended to be a permanent body, the CJI also said.
- ▶ The Supreme Court said the concurrence of the State government was not required to apply all provisions of the Constitution using Article 370(1)(d). So, the President of India taking the concurrence of the Union government was not mala fide.
- ▶ The SC also said that the recommendation of Constituent Assembly of J&K was not binding on the President of India.
- ▶ The SC held the president seeking concurrence of union and not state as valid, and all provisions of the Indian constitution can be applied to J&K.
- ▶ The restoration of statehood

■ CONTD ON PAGE 9



### ■ STATE TIMES NEWS

NEW DELHI: Article 370 of the Constitution, which bestowed special status on the erstwhile state of Jammu and Kashmir, was a "temporary provision", the Supreme Court ruled on Monday.

In a landmark verdict, the apex court unanimously upheld the Centre's August 5, 2019 decision to abrogate provisions of Article 370, while directing restoration of statehood for Jammu and Kashmir at the earliest and holding of the assembly elections by September 30, 2024.

A five-judge constitution bench headed by Chief Justice D Y Chandrachud, in its three concurring judgements, dealt with the question of whether the provisions of Article 370 were temporary in nature or they

acquired a permanent status in the Constitution at the end of the J&K Constituent Assembly's tenure in 1957.

"We have held that Article 370 is a temporary provision on a reading of the historical context in which it was included," said the CJI, who wrote the judgement for himself and Justices B R Gavai and Surya Kant.

He said Article 370 was introduced to serve two purposes, including the transitional purpose to provide for an interim arrangement until the Constituent Assembly of the state was formed and could take a decision on the legislative competence of the Union on matters other than the ones stipulated in the Instrument of Accession and ratify the Constitution.

Justice Chandrachud said

the second was a temporary purpose, an interim arrangement in view of the special circumstances because of the war conditions in the state.

"We have held that a textual reading of Article 370 also indicates that it is a temporary provision. For this purpose, we have referred to the placement of the provision in Part XXI of the Constitution which deals with temporary and transitional provisions, the marginal note of the provision which states 'temporary provisions with respect to the State of Jammu and Kashmir', and a reading of Articles 370 and 1 by which the State became an integral part of India upon the adoption of the Constitution," he said. Article 1 says India, that is Bharat, shall be

■ CONTD ON PAGE 9

### Article 370: Timeline of developments

- NEW DELHI: Following is the timeline of events in a case in which the Supreme Court on Monday upheld the government's decision to abrogate Article 370 of the Constitution, which bestowed a special status on the erstwhile state of Jammu and Kashmir, and said steps should be taken to conduct the election to the Assembly in the Union Territory by September 30 next year.
- ▶ **December 20, 2018:** President's Rule imposed while exercising powers under Article 356 of the Constitution in the state of Jammu and Kashmir. Subsequently extended on July 3, 2019.
  - ▶ **August 5, 2019:** Centre abrogates the provisions of Article 370, bestowing a special status upon the erstwhile state of Jammu and Kashmir.
  - ▶ **August 6, 2019:** First petition challenging the presidential order scrapping Article 370 filed by advocate M L Sharma, who was later joined by another lawyer from Jammu and Kashmir, Shakir Shabir.
  - ▶ **August 10, 2019:** National Conference (NC), a prominent political party from Jammu and Kashmir, files a petition contending that the changes brought in the status of the state had taken away the rights of its citizens without their mandate.
  - ▶ **August 24, 2019:** Press Council of India moves the Supreme Court supporting the Centre and Jammu and Kashmir administration's decision to impose restrictions on communications.
  - ▶ **August 28, 2019:** Supreme Court issues notices to the Centre, Jammu and Kashmir administration on a plea moved by Kashmir Times editor for the removal of the restrictions imposed on journalists.
  - ▶ **August 28, 2019:** A bench headed by then Chief Justice Ranjan Gogoi refers matter to five-judge Constitution bench.
  - ▶ **September 19, 2019:** Supreme Court sets up five-judge Constitution bench to hear pleas challenging abrogation of Article 370.
  - ▶ **March 2, 2020:** Supreme Court declines to refer to larger seven-judge bench batch of petitions challenging constitutional validity of Centre's decision to abrogate provisions of Article 370.
  - ▶ **April 25, 2022:** Supreme Court agrees to consider listing after summer vacation pleas challenging Centre's decision to abrogate provisions of Article 370 after one of the petitioners seeks urgent hearing in view of delimitation exercise being carried out in Jammu and Kashmir.
  - ▶ **July 11, 2023:** Supreme Court says it will commence day-to-day hearing from August 2 on petitions challenging abrogation of Article 370.
  - ▶ **August 2, 2023:** Supreme Court commences hearing on petitions challenging abrogation of Article 370.
  - ▶ **September 5, 2023:** Court reserves verdict on 23 petitions in the matter after hearing those for 16 days.
  - ▶ **December 11, 2023:** Supreme Court upholds government's decision to abrogate Article 370, says steps should be taken to conduct election to Assembly in Union Territory by September 30 next year.

## SC verdict: PM hails it as 'historic'

Amit Shah, Rajnath, Nadda welcome judgement

### ■ STATE TIMES NEWS

NEW DELHI: Prime Minister Narendra Modi and Union Home Minister Amit Shah Monday hailed as "historic" the Supreme Court order upholding the government's decision to abrogate Article 370 in Jammu and Kashmir, and said it has vindicated the constitutional validity of the Centre's move and fortified the "very essence of unity".

Hailing the SC verdict as "historic", Modi said it constitutionally upholds the decision taken by Parliament on August 5, 2019.

"It is a resounding declaration of hope, progress and unity for our sisters and brothers in Jammu, Kashmir and



Ladakh. The court, in its profound wisdom, has fortified the very essence of unity that we, as Indians, hold dear and cherish above all else," he said.

"I want to assure the resilient people of Jammu, Kashmir and Ladakh that our commitment to fulfilling your dreams remains unwavering. We are determined to ensure that the fruits of progress not only reach you but also extend their benefits to the most vulnerable and marginalised sections of our society who suffered due to Article 370," he asserted.

The verdict is not just a legal judgment, it is a beacon of hope, a promise for a brighter future and a testament to the collective resolve to build a stronger, more united India, Modi said on the microblogging platform, using the hashtag 'NayaJammuKashmir'.

Welcoming the verdict, Shah said, "Today, the

■ CONTD ON PAGE 9

## PM launches 'Viksit Bharat @2047: Voice of Youth' Provide opportunity to youth in building 'Viksit Bharat', making J&K top performer: LG



LG Manoj Sinha speaking during 'Viksit Bharat@2047 Voice of Youth' workshop at Raj Bhawan in Jammu on Monday.

■ STATE TIMES NEWS  
NEW DELHI/JAMMU: Lieutenant Governor Manoj Sinha on Monday urged the

Vice Chancellors and other stakeholders to create a structured format and transformative agenda to provide

opportunity to youth to participate in building 'Viksit Bharat' and making J&K top performer in this mission.

"Transformation of all developed countries, quantum leap in their economic growth, change in industrial landscape was started from educational institutions", the Lieutenant Governor observed while joining 'Viksit Bharat @2047: Voice of Youth' workshop, launched by Prime Minister, Narendra Modi.

■ CONTD ON PAGE 9

## Full statehood to J&K would be restored at appropriate time: Amit Shah



### ■ STATE TIMES NEWS

NEW DELHI: Home Minister Amit Shah on Monday assured the country that the beginning of build-

ing a "new and developed Kashmir" that will be free from terrorism has been made under Prime Minister

■ CONTD ON PAGE 9

## Parliament passes two J&K bills on reservation, representation in Assembly

NEW DELHI: Parliament on Monday passed two bills related to Jammu and Kashmir as Rajya Sabha cleared them with a voice vote, with Home Minister Amit Shah assuring the country that the beginning of a "new and developed Kashmir" that will be free from terrorism has been made under Prime Minister Narendra Modi. The two bills - JK Reorganisation (Amendment) Bill and JK Reservation (Amendment) Bill - seek to nominate two members from the Kashmiri migrant community and one representing the displaced persons from Pakistan-occupied Kashmir (PoK) to the legislative assembly, besides providing reservation to certain communities in Jammu and Kashmir. They were passed by Lok Sabha last week. The home minister said the two bills related to Jammu and Kashmir brought by the government would give justice to those deprived of their rights for the last 75 years and asserted that reservation to the displaced people would give them a voice in the legislature.

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