



Article 370 | Jammu & Kashmir | 01 Mar 2025

Why in News?

On 25 February 2025, Jammu & Kashmir Chief Minister stated that [Article 370](#) was described as a “**temporary or transitional**” provision because J&K’s status had not been fully formalized **at the time of its accession to India in 1947**.

Key Points

- **Article 370's Temporary Status:**
 - The Chief Minister asserted that the **promise of a plebiscite led to this classification**, as J&K’s future was expected to be determined through democratic means.
 - He emphasized the need to **revisit the Instrument of Accession** signed by **Dogra ruler Hari Singh and the Government of India in 1947**.
 - He argued that while J&K’s accession to India became final over time, the conditions and framework that enabled it should have remained unchanged.
 - **He insisted** that both aspects—**accession and its governing framework—should be treated equally**, rather than considering one as permanent and the other as temporary.
- **Post-2019 Changes in J&K:**
 - He also acknowledged the changing atmosphere in J&K following [the abrogation of Article 370 in 2019](#).

Article 370

- **About:**
 - Article 370 of the Indian constitution granted **special status to Jammu and Kashmir**.
 - It was drafted by **N Gopalaswami Ayyangar**, a member of the **Constituent Assembly of India** and was added as a '**temporary provision**' in 1949.
 - This article allowed Jammu and Kashmir to have its **constitution, flag, and autonomy** over most matters **except defence, foreign affairs, and communications**.
 - The provision was based on the terms of the [Instrument of Accession](#), which was signed by the ruler of Jammu and Kashmir, Hari Singh, in 1947 following an invasion by Pakistan.
- **Repeal of Article 370:**
 - **Presidential Order:** In the 2019 Presidential orders, **Parliament redefined the "constituent assembly of Jammu and Kashmir"** to mean the "**Legislative Assembly of Jammu and Kashmir**."
 - By invoking the **President's rule**, Parliament then assumed the powers of the Legislative Assembly to revoke Article 370.
 - **Resolutions in Parliament:** On **5th and 6th August 2019**, concurrent resolutions were passed by both houses of Parliament, [the Lok Sabha](#) and the [Rajya Sabha](#), respectively.
 - These resolutions revoked the **remaining provisions of Article 370** and replaced them with new provisions.
 - [Jammu and Kashmir Reorganisation Act, 2019](#): It was passed by Parliament in 2019 to bifurcate the state of Jammu and Kashmir into two **Union Territories of Jammu and Kashmir and Ladakh**.

