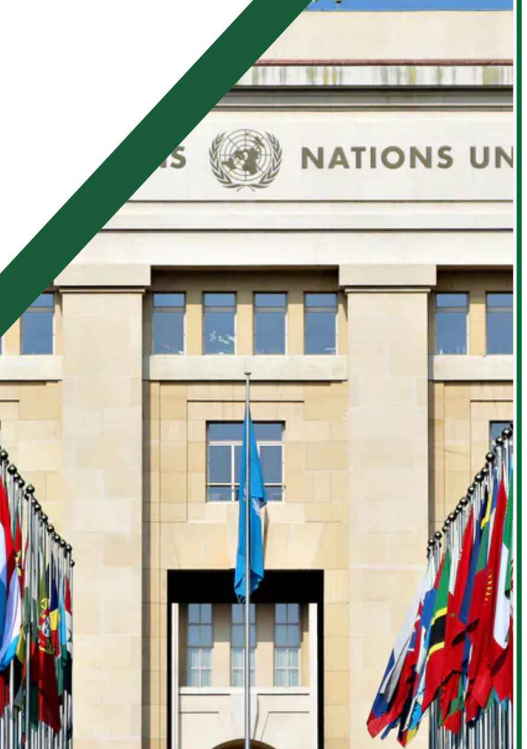




PARLIAMENTARY COMMITTEE ON KASHMIR

CONSTITUTIONAL HISTORY OF JAMMU AND KASHMIR





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1846: In the aftermath of Anglo-Sikh war in 1840's, the British East-India Company sells the region of Kashmir to a Dogra Ruler Gulab Singh who had betrayed his Sikh overlords. An agreement named "Treaty of Amritsar" signed on March 9th 1846, allows Gulab Singh to claim title of Maharaja of the State of Jammu and Kashmir. Despite majority of the subjects being Muslims, Dogras turn the state into Hindi Kingdom. Dogra rule is marked by oppression, forced labor and heavy taxation.

1932: Kashmiri Muslim leaders petition the British and Dogra rulers for reforms and launch All Jammu Kashmir Muslim Conference with a goal to fight for reforms and representation of Kashmiri Muslims in the Government.

1947: Pakistan and India gain independence from the British Empire and princely states are given a choice to accede either Pakistan or India. Maharaja Hari Singh signs a standstill agreement with Pakistan which India refuses to sign. Despite majority of population being Muslims, Hari Singh signs alleged "Instrument of accession" with India against the will of the subjects of the State handing over control of defence, communication and foreign affairs to India.

1948: India takes the case of Kashmir to the United Nations and Kashmir is officially recognized as a disputed territory. United Nations Security Council passes a resolution (UNSC Resolution 47) providing for ceasefire, withdrawal of foreign troops followed by the Plebiscite in Kashmir

1950: India backtracks on its promise of a plebiscite. Indian Constitution comes into effect and Article 1 proclaims the entire state of Jammu and Kashmir as a part of India. Sheikh Abdullah negotiates with New Delhi and Article 370 comes into place and gives a special status to the State of Jammu and Kashmir corresponding to the alleged Instrument of Accession.

1951: Elections are held in the State but the United Nations Security Council passes a resolution (UNSC Resolution 91) declaring elections will not be a substitute for plebiscite. Sheikh Abdullah's National Conference wins the elections and Sheikh Abdullah wins the elections, mostly unopposed, and becomes the Prime Minister. Jammu & Kashmir Constituent Assembly is created to draft the constitution of the State. Hindu Extremists in India protest against special status given to Kashmir.

1952: The Delhi Agreement is signed which states that besides three matters listed under the Alleged Instrument of Accession; Sovereignty will remain in Jammu and Kashmir.

1954: India passes a Presidential order using Article 370 that grants Indian Parliament more powers contrary to alleged "Instrument of Accession". This is termed as erosion of autonomy and every dissent voice is crushed in Kashmir. Article 35 A that defines the privileges of subjects of State such as ability to purchase land and immovable property, ability to vote and contest elections, seeking government employment and availing other state benefits is added to Indian Constitution under Article 370.

1956: The dubious Jammu and Kashmir assembly adopts a new constitution, declaring The



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dubious Jammu and Kashmir assembly adopts a new constitution, declaring the State integral part of Indian Union. Kashmiri people staunchly reject the new constitution and call for the right to self-determination.

1957: United Nations passes another resolution (22) affirming that only the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations "will determine Kashmir's final status, and states that the J&K Constituent Assembly's actions, including administrative or legal changes, are invalid and would not constitute a final disposition of the state.

1965: India removes the title of Prime Minister and Sadr e Riyasat of Kashmir and instead introduces the term Chief Minister.

1972: India and Pakistan sign the Shimla Agreement, which recognizes the ceasefire line of 1949 as the Line of Control (LoC). The Shimla Agreement includes a clause stating that the final settlement of Kashmir will be decided bilaterally as per UN Charter.

1990: Armed struggle on the rise after central Government of India rigs the election in Kashmir. Several separatists, including Syed Ali Shah Gillani, Yasin Malik arrested. The government of India tries to hold talks with various leaders in J&K. All Parties Hurriyat Conference, an alliance of 26 social and political movements, is established in 1993 with an aim to get complete freedom from India. A large number of civilians die due to brutality and oppression of Indian Armed Forces.

1994: The Indian Parliament passes a resolution on February 22, that claims Kashmir to be an "integral part" of India and therefore non-negotiable. More forces are sent to Kashmir to crush the armed struggle of Kashmiri people.

1995: Indian Prime Minister PV Narasimha Rao makes a statement in parliament assuring that Article 370 will not be abrogated. He reiterates that J&K is an integral part of India and that he wants president's rule to end.

1996: Indian Government appoints a committee to study the issue of autonomy to Jammu and Kashmir.

2002: In October, former Indian Home Minister of Kashmiri origin, Mufti Syed, and his newly-created Peoples Democratic Party (PDP), win elections and form a coalition government with the Indian Congress. PDP ran its campaign on the idea of establishing "self-rule" in Kashmir. NC ran on the promise of re-establishing the pre-1953 "autonomy" for Kashmir.

2008: The Indian governor and members of the PDP-Congress government give 100 acres of land in Kashmir to the Amarnath Shrine Board, a non-Kashmiri entity, to build permanent infrastructure for Indian pilgrims. The "land deal" contravenes protection of land guaranteed under Article 370 and Article 35A, which limit ownership of land only to the permanent residents of Kashmir. Many Kashmiris see it as an attempt to change Kashmir's demography. By June, widespread protests emerge across Kashmir.



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2018: In June, the BJP exits the coalition with the PDP and the Indian governor acquires full charge. In November, the Governor Satya Pal Malik dissolves the Legislative Assembly.

2019: On August 5, the Indian government unilaterally scraps Article 370 and abrogates Article 35A, removing the last remnants of “autonomy” and “special status” guaranteed under the Alleged Instrument of Accession and the Delhi Agreement without consent of Kashmiri representatives. The removal of 35A paves the way for settler colonialism in Kashmir. The Pro freedom leaders of APHC are put under detention. Kashmir is under complete curfew and all forms of communication are shut down. On October 31, the Indian government divides the historic State of Jammu and Kashmir into two “Union Territories” under the Jammu Kashmir Reorganization Act passed on August 9. One is the “Union Territory of Jammu and Kashmir” which will have a legislative assembly with highly limited powers, and the second is the “Union Territory of Ladakh,” which will have no legislative assembly. The Indian government takes full control over Jammu and Kashmir while its senior officials speak about instituting “Israeli-style settler colonies” in Kashmir. An intense crackdown and communication blockade in Kashmir ensures Kashmiris are unable to protest.

2020: The Indian Government introduces a new “Domicile law” that allows certain group of people to become residents of Kashmir. Indian Government in haste starts distributing certificates to non-Kashmiris in order to settle them inside the region.

2021: The Jammu and Kashmir Reorganization (Amendment) Bill, 2021 is introduced in Indian Parliament on February 4, 2021 to replace an ordinance to merge the Jammu and Kashmir cadre of civil services officers with the Arunachal Pradesh, Goa, Mizoram Union Territory (AGMUT) cadre

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