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REVOCATION OF ARTICLE 370 AND IT'S CONSEQUENCES

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ABSTRACT:

Article 370 of the Indian Constitution delineates the authority of Jammu and Kashmir to legislate for its residents. The provisions applicable to other states in India do not extend to Jammu and Kashmir. This report will succinctly examine the revocation of Article 370, including the rationale behind its initial implementation and its intended purpose, as it was originally conceived as a temporary measure. The report will also address the challenges encountered by both the central government and the people of Kashmir. It will provide an overview of the process of revocation and the subsequent consequences, including the enforcement of Section 144³. Additionally, it will present the Supreme Court's ruling regarding the revocation of Article 370 and discuss whether the presidential orders adhered to legal protocols. The analysis will encompass both the advantages and disadvantages, as well as the potential benefits and growth anticipated for the state. The conclusion will assess the constitutional validity of the decision to revoke the article and whether it can be deemed undemocratic.

Keywords: Article 370, revocation, Jammu and Kashmir, Kashmiri people, abrogation, president, constitution

INTRODUCTION

Before August 5, 2019, India comprised 28 states and 7 union territories, which later changed to 29 states and 9 union territories. This transition was widely reported through various media

¹ BBA;LLB(HONS):sastra school of law,Thanjavur

² BBA;LLB(HONS):sastra school of law,Thanjavur

³ Meaning of the section:(devgan.in) Power to issue order in urgent cases of nuisance or apprehended danger

and online platforms, yet approximately 1.5 crore individuals in Jammu and Kashmir remained largely uninformed. Why were the Kashmiri people uniquely unaware of this significant change? The answer lies in the stringent security measures in place, which restricted access to information; schools, colleges, and public offices were largely non-operational. To understand this situation, it is essential to delve into the historical context surrounding these developments. Examine Article 370 of the Indian Constitution. What distinguishes Article 370? What is the underlying tragedy associated with it? The situation surrounding Jammu and Kashmir is complex, rooted in the historical conflict between India and Pakistan that emerged following the partition of British India in 1947. The subsequent enactment of Article 370 granted special autonomy to Jammu and Kashmir, a provision intended to be temporary. However, it took an extensive period of 70 years for this provision to be abrogated, resulting in significant unrest among the Kashmiri populace. Numerous individuals and political figures have expressed their views, with a predominant sentiment opposing the decision. An interview with Quint reveals that "the locals believed that Article 370 conferred special rights upon Kashmir, which have now been taken away." The abrupt nature of this revocation has made it particularly challenging for the local community to come to terms with the change. Despite these circumstances, legislative assembly elections were scheduled from September 18 to October 1. The ongoing discourse revolves around Article 370, its implications, the revocation process, and the question of whether this change has led to any significant alterations in the situation, as well as the current mindset of the Kashmiri people five years post-revocation.

Prior to independence, numerous princely states existed. To join India after independence, these states were required to sign an instrument of accession⁴. They were presented with three options: 1. to join Pakistan, 2. to join India, or 3. to remain independent from both nations. Many states, including Bengaluru, opted to accede to India, while a few chose to join Pakistan. At that time, Kashmir was governed by Raja Hari Singh⁴, a Hindu ruler, while approximately 77% of the Kashmiri population was Muslim. This demographic reality created a dilemma regarding alignment with either India or Pakistan. The challenge for the ruler was that aligning with India could jeopardize his position in a democratic framework, while remaining

⁴ Meaning of instrument of

accession:[https://en.wikipedia.org/wiki/Instrument_of_Accession#:~:text=The%20Instrument%20of%20Accession%20was,the%20Partition%20of%20British%20India:\(wikipedia\)](https://en.wikipedia.org/wiki/Instrument_of_Accession#:~:text=The%20Instrument%20of%20Accession%20was,the%20Partition%20of%20British%20India:(wikipedia))A legal document that enable each of the rulers of the princely states under british dominions to join one of the new new dominions of india or pakistan

⁴About maharaja hari singh:[https://en.m.wikipedia.org/wiki/Hari_Singh_\(wikipedia\)](https://en.m.wikipedia.org/wiki/Hari_Singh_(wikipedia)) Last ruling maharaja of the princely state of jammu and kashmir

independent posed its own risks. The Hindu monarch faced the dilemma of joining Pakistan, as doing so would result in his expulsion from the throne. He expressed no desire to align with either India or Pakistan but initiated a standstill agreement⁵, which was communicated to both nations. Pakistan consented to this agreement, facilitating trade, travel, communication, and the unrestricted movement of essential goods between Jammu and Kashmir and Pakistan. However, the standstill agreement ultimately proved disadvantageous for Pakistan, leading to escalating unrest. Subsequently, Pakistan breached the agreement and ceased to provide benefits to the state. The following day, utilizing unauthenticated Pashtun tribes, Pakistan launched an attack on Jammu and Kashmir, even attempting to invade the territory of Raja Hari Singh, which incited significant turmoil and discontent in Kashmir. In response, he sought assistance from India. However, Jammu and Kashmir had not yet signed the instrument of accession, rendering it outside India's jurisdiction, and thus India declined to offer support. Eventually, Raja Hari Singh signed the instrument of accession, agreeing to integrate with India. Consequently, India assumed responsibility for defence, external affairs, and communication in Jammu and Kashmir. On April 21, 1948, India approached the United Nations for a resolution. The UN resolution stipulated that "whatever is their will remain there." On January 1, a line of control was established, which both India and Pakistan accepted. The UN also outlined three key directives: 1. Pakistan must withdraw its nationals from Jammu and Kashmir. 2. India should reduce its military presence. 3. A plebiscite should be conducted under the supervision of the UN administrator. It further asserted that the fate of Jammu and Kashmir would be determined by its people.

Despite these resolutions, Pakistan failed to comply with the UN's directives and refused to withdraw its forces from Jammu and Kashmir. The plebiscite⁶ would only occur following Pakistan's withdrawal. After extensive discussions, the implementation of a temporary resolution was proposed, which materialized as Article 370 in 1949.

1.1.OBJECTIVES:

- ❖ Is article 370 a temporary provision of the constitution of India

⁵ Definition of standstill agreement:[https://en.m.wikipedia.org/wiki/Standstill_agreement_\(India\):](https://en.m.wikipedia.org/wiki/Standstill_agreement_(India):)(wikipedia) it provided that all the administrative arrangements existing between the british crown and the state would continue unaltered between the domnion india or pakistan and the princely state until new arrangements were made

⁶ Definition of pelbiscite:(oxford languages dictionary)A vote by the people of a country or a region on acquestion that is very important

- ❖ The rationale behind the significance of article 370 and the enactment of article 35(a)
- ❖ The manner in which it was annulled and the justification for the annulment of article 370
- ❖ Can article 367 be used to amend the meaning of “constituent assembly” to mean “Legislative assembly”
- ❖ The advantages and disadvantages of the annulment

1.2. AUTHORITIES AND RESPONSIBILITIES OF ARTICLE 370

Article 370 was established by Gopalaswamy Ayyangar⁷, who introduced this temporary special provision that grants unique powers to Jammu and Kashmir. He assured the people of Kashmir that “the people of Kashmir will remain a part of India under specific conditions, and Article 370 serves as a guarantee for those conditions.” It is also stated that only select provisions of the Indian Constitution would apply to Jammu and Kashmir, with Indian intervention limited to matters of defence, foreign affairs, and communication.

It is noted that only two articles of the Indian Constitution would be applicable to Jammu and Kashmir: Article 1 and Article 370.

Article 1: India, referred to as Bharat, is a union of states. This article also affirms that, “Jammu and Kashmir are integral parts of India.”

Article 370: “This article recognizes the special status of Jammu and Kashmir, allowing it to formulate its own laws, with the exception of defence, communication, and foreign affairs. It permits the region to have its own flag and grants special rights to its permanent residents”. For instance, individuals who are not permanent residents of Jammu and Kashmir are prohibited from purchasing land there, and a Kashmiri woman who marries a non-Kashmiri man loses her right to acquire land in the region.

⁷ About:https://en.m.wikipedia.org/wiki/N._Gopalaswami_Ayyangar:(wikipedia) An indian civil servant and statesmen who served as the prime minister of the princely state of jammu and kashmir and later minister in the first cabinet of independent india

The central government is also restricted from declaring an emergency in Jammu and Kashmir. Overall, the laws regarding citizenship, property ownership, and fundamental rights in Jammu and Kashmir differ from those applicable to Indian citizens.

Can India establish provisions for Jammu and Kashmir beyond these two articles?

Such provisions can only be made under specific conditions. To do so, the President must issue a presidential order with the consent of the Jammu and Kashmir government. It is ultimately the prerogative of the Jammu and Kashmir government to determine which provisions of Indian law may be applied in the region. For example, the implementation of GST in Jammu and Kashmir took several days, in contrast to other states in India.

2. REVOCATION PROCEDURE:

The third segment of Article 370 [art 370(3)] permits the President of India to declare Article 370 as inoperative. It is asserted that the revocation of Article 370 requires the approval of both the government of Jammu and Kashmir and its constituent assembly. Following these approvals, the President of India would issue a presidential order to remove Article 370. However, a significant complication arises from the fact that the constituent assembly of Jammu and Kashmir was dissolved on January 26, 1957. Given that the constitution was not in effect, the question arises as to how such approval can be obtained and how revocation can occur. This situation led the leaders of Jammu and Kashmir to confidently assert that Article 370 could not be revoked. Nevertheless, it was ultimately removed, a development that took many by surprise. The planning for this removal spanned a considerable period of four to five years. In the initial period, there was a consensus on the necessity of Article 370, as it was believed that a plebiscite would occur and that Pakistan would withdraw its forces from Jammu and Kashmir. At that time, Article 370 was considered a temporary measure. Consequently, it was incorporated into Part XXI of the Indian Constitution, along with other temporary provisions, thereby facilitating Jammu and Kashmir's integration into India. In 1951, discussions regarding the formulation of Jammu and Kashmir's constitution took place. Thus, Article 370 was enacted, solidifying Jammu and Kashmir's status as an integral part of India. However, a significant issue arose: constitutional entities such as the Supreme Court, banking regulations, directive principles, the Indian Election Commission, the Comptroller and Auditor General, and fundamental rights could not be applied in Jammu and Kashmir. Jawaharlal Nehru

advocated for the implementation of these constitutional bodies, leading to multiple meetings with Sheikh Abdullah⁸, which were referred to as the "Delhi Agreement." Sheikh Abdullah agreed to the imposition of these bodies, provided that Jammu and Kashmir would maintain its own flag, have its own Prime Minister, and be designated as *Sadar-i-Riyasat*. He also insisted on the preservation of the state subject law. The state subject law delineates the rights conferred upon the people of Kashmir, which encompass the exclusive right to reside in the region, allowing only Kashmiri individuals to purchase land and secure government employment. In contrast, individuals from other states are denied these privileges. Furthermore, a Kashmiri woman who marries a non-Kashmiri individual forfeits her rights to government employment and land ownership. This situation has been perceived as discriminatory against the citizens of the state within the broader context of India. For example, a resident of Kanyakumari who relocates to Kerala can eventually register to vote in Kanyakumari; this privilege is not extended to someone residing in Jammu and Kashmir, even after decades of residence. This arrangement was endorsed by Jawaharlal Nehru and was enforced through various constitutional measures, leading to the establishment of Article 35(a) under Article 370. While Article 370 pertains to the state of Jammu and Kashmir, Article 35(a) specifically addresses the rights of its residents and their governance over the territory. Article 35(a) mirrors the provisions of the state subject law enacted in 1927, encompassing elements such as dual flags, dual prime ministers, permanent residency regulations, and the enjoyment of dual citizenship rights for the people of Kashmir. This framework has been met with both criticism and acclaim, as many of India's legal provisions are applicable in Jammu and Kashmir. Sheikh Abdullah, who was initially resistant to the enforcement of Article 35(a), was engaged in negotiations with Pakistan. Following the Kashmir conspiracy case, he was removed from power, and Bakshi Ghulam Mohammed⁹ was appointed as the prime minister. The discourse surrounding Article 35(a) continued under his leadership, leading to its implementation. In 1954, a presidential order issued by President Rajendra Prasad facilitated the incorporation of all constitutional provisions in Jammu and Kashmir, including the addition of Article 35(a) under Article 370. This order also encompassed the establishment of banking, the Comptroller and Auditor General, the Election Commission, and financial regulations, while the title of Prime Minister was changed to Chief Minister.

⁸ About :[https://en.m.wikipedia.org/wiki/Sheikh_Abdullah:\(wikipedia\)](https://en.m.wikipedia.org/wiki/Sheikh_Abdullah:(wikipedia))

An indian politician;leader of all jammu and kashmir muslim conference;1st elected prime minister of jammu and kashmir after it's accession to india

⁹ About:(https://en.m.wikipedia.org/wiki/bakshi_gulam_mohammad) Long served prime minister of jammu and kashmir

Additionally, out of the 97 items listed in the union list of the Indian Constitution, 94 were subsequently incorporated. Following this, the monarchy came to an end. The Indo China War occurred, leading to numerous insurgencies in Kashmir, instigated by Pakistan in the aftermath of its defeat in the conflict. This resulted in a proxy war in Kashmir, claiming the lives of approximately 40,000 individuals, alongside the martyrdom of thousands of Indian soldiers. Subsequently, in 1963, China took control of the Indira LOC from India, which caused a rift among various leaders in our nation and influenced the manner in which Jawaharlal Nehru addressed the situation. Notably, the Bharatiya Janata Party (BJP) acknowledged in its manifesto its intention to revoke Article 370 if it came to power, a promise fulfilled in 2019 when the BJP, under the leadership of Narendra Modi, assumed office. In 1984, the BJP's manifesto stated that the removal of the temporary Article 370 was essential to restore the balance envisioned by the framers of the Constitution between the central and state governments. However, during the 2014 elections, the BJP secured three fewer seats than the People's Democratic Party (PDP). Despite the ideological differences between the PDP and the BJP, a press conference in 2015 led by Amit Shah and Mehbooba Mufti announced a coalition government in Jammu and Kashmir. Nevertheless, in 2018, the BJP withdrew its support from the PDP, leaving Jammu and Kashmir without a government. According to Article 92 of the Constitution, the imposition of President's Rule is not immediate; instead, the governor of Jammu and Kashmir governs for the first six months. Following this, on August 23, 2018, Satyapal Malik¹⁰ was appointed as governor of Jammu and Kashmir. Although President's Rule was anticipated after six months, a notification was issued allowing the governor to continue ruling in the president's name, effectively granting the governor powers equivalent to those of the Prime Minister. This development resulted in the consolidation of authority within Jammu and Kashmir.

The central government's actions may provoke retaliation from Pakistan and the separatist factions.

Subsequent reports from various books and articles suggest that key figures, including Ajith Doval¹¹, Lt. Gen. KJS Dhillon¹², and General Vipin Rawat¹³, convened with Mr. Amit Shah to

¹⁰ About:(wikipedia)https://en.m.wikipedia.org/wiki/Satya_Pal_Malik 10th and last governor of the erstwhile state of jammu and kashmir from august 2018 to october 2019

¹¹ About:(wikipedia)https://en.m.wikipedia.org/wiki/Ajit_Doval: Former director of intelligence bureau and current national security advisor

¹² About:(wikipedia)https://en.m.wikipedia.org/wiki/Kanwal_Jeet_Singh_Dhillon: Commander of XV corps;48th corps commander of srinagar called chinar corps

¹³ About:(wikipedia)https://en.m.wikipedia.org/wiki/Bipin_Rawat: Four star general of the indian army and served as the first chief of defense staff in armed forces

discuss security measures. Over 100 satellite phones were distributed to senior officials, and 20 C-17 transport aircraft were readied to facilitate the rapid deployment of 45,000 paramilitary personnel. The removal of Article 370 was scheduled for August 5, with all necessary preparations in place. However, on August 2, 2019, an advisory was issued urging devotees to halt their pilgrimage for the Amarnath Yatra and vacate the Kashmir valley, leading to public speculation about impending significant changes in Jammu and Kashmir. On August 4, local leaders in Kashmir, including Omar Abdullah and Mehbooba Mufti, were detained, and their mobile phones were confiscated. That evening, Section 144 was enforced. On the morning of August 5, 2019, President Ramnath Govind issued a presidential order known as THE CONSTITUTIONAL (Application to Jammu and Kashmir) Order 2019, or C.O. 272, which abrogated Article 370, following a resolution passed in both houses of Parliament. However, questions arise regarding the legality of this action, as the consent of the Jammu and Kashmir government and its constituent assembly is required for such a measure. While Satyapal Malik provided governmental permission, the process for obtaining the constituent assembly's approval remains unclear, especially since it was dissolved on January 26, 1957. This raises significant inquiries that will be explored in subsequent sections.

3. LITERATURE REVIEW:

The existing literature posits that the revocation of Article 370 would lead to a decrease in the threat of militancy through social integration¹⁴¹⁵. However, five years post-revocation, many individuals continue to face repercussions as a result of this change.

Arrests made under the Unlawful Activities Prevention Act (UAPA) permit the state to label ordinary individuals as terrorists without the necessity of presenting evidence for denunciation or accusation. Between 2020 and 2023, over 2,165 individuals were detained in the region, including journalists who serve as representatives of the populace. Even when individuals apply for bail, the approval process can extend for months or even years, resulting in prolonged incarceration without a guilty verdict¹⁶. This situation poses a significant threat to the Kashmiri population and undermines democratic principles. While there may have been threats in Kashmir prior to the revocation due to influences from Pakistan and China, as well as conflicts

¹⁴ Dr.Renuka Walnuj,The study of the article 370,vol-22,Think India Journal,december

¹⁵ ,<https://thinkindiaquarterly.org/index.php/think-india/article/view/18323>

¹⁶ Imran Ahmed and Muhammad Saad UL Haque,abrogation of article 370:An analysis of the supreme court verdict,13th january 2017, <https://www.isas.nus.edu.sg/papers/abrogation-of-article-370-an-analysis-of-the-supreme-court-verdict/>

between Muslims and Hindus, it is essential to assess whether these threats have diminished following the revocation. This remains a topic for discussion. Nonetheless, it is inaccurate to assert that the revocation has alleviated threats to the Kashmiri people. Furthermore, the government has claimed that Article 370 was a fundamental cause of corruption and militancy in Jammu and Kashmir¹⁷¹⁸

Following the revocation, the Supreme Court mandated that the election commission to conduct elections by September. An election has since taken place. Although corruption has seen a reduction, it has not been entirely eradicated, as the electoral process continues to be marred by corrupt practices and manipulative voting tactics. This issue is prevalent not only in Kashmir but across India, suggesting that elections may be a primary source of corruption, a phenomenon that was not as pronounced in Kashmir prior to the revocation. Many citizens view the revocation of Article 370 as undemocratic, arguing that it was inappropriate to revoke this article indirectly.

RESEARCH PROBLEM:

The revocation has left the people of Kashmir feeling largely disillusioned. They perceive this action as unconstitutional and undemocratic, arguing that the special status of Jammu and Kashmir should not have been revoked without the consent of the constituent assembly. Additionally, the populace has raised concerns regarding the government's failure to engage in dialogue.

The action taken in 2019 effectively nullified the commitment established in 1948. This raises questions regarding the constitutional legitimacy of the abrogation of Article 370 and whether this decision has fostered any positive developments in Jammu and Kashmir.

Research Question:

Despite the dissolution of the constituent assembly, it was rebranded as the legislative assembly of Jammu and Kashmir. This prompts an inquiry: is it permissible to transform a constituent assembly into a legislative assembly? Are there any legal provisions that clarify this transition?

¹⁷ Ayjaz Wani, Life in Kashmir after article 370, observer research foundation, january

¹⁸ , <https://www.orfonline.org/research/life-in-kashmir-after-article-370>

To ensure constitutional compliance, an amendment was enacted in 2019.

AMENDMENT TO ARTICLE 367: "In 2019, Article 367 of the Indian Constitution was revised to introduce a new clause that provides an interpretation of the constitution. This clause specifies that the term 'constituent assembly' in Article 370 should be understood as referring to the legislative assembly."

Moreover, C.O. 272 authorized the union to amend Article 370 without the approval of the constituent assembly, given that Jammu and Kashmir was under presidential rule. Subsequently, the Rajya Sabha ratified the revocation of Article 370 with a significant majority. On August 6, 2019, Article 370 was rendered inoperative, followed by the president's issuance of C.O. 273. On that same day, a legal challenge was initiated by Manohar Lal Sharma¹⁹. On August 9, the Jammu and Kashmir Reorganisation Act was enacted, resulting in the division of Jammu and Kashmir into two union territories. A lawsuit was filed contesting the constitutionality of the presidential orders and the division of Jammu and Kashmir. The Supreme Court determined that the revocation of Article 370 is constitutionally valid, as it is a temporary provision, affirming the president's authority without necessitating the state government's input. The Chief Justice of India further noted that the legislative body's recommendations would not be required.

The action taken in 2019 effectively nullified the commitment established in 1948. This raises questions regarding the constitutional legitimacy of the abrogation of Article 370 and whether this decision has fostered any positive developments in Jammu and Kashmir.

6. CHANGES IN JAMMU AND KASHMIR FOLLOWING REVOCATION:

In the aftermath of the revocation, it is essential to examine the changes that have occurred.

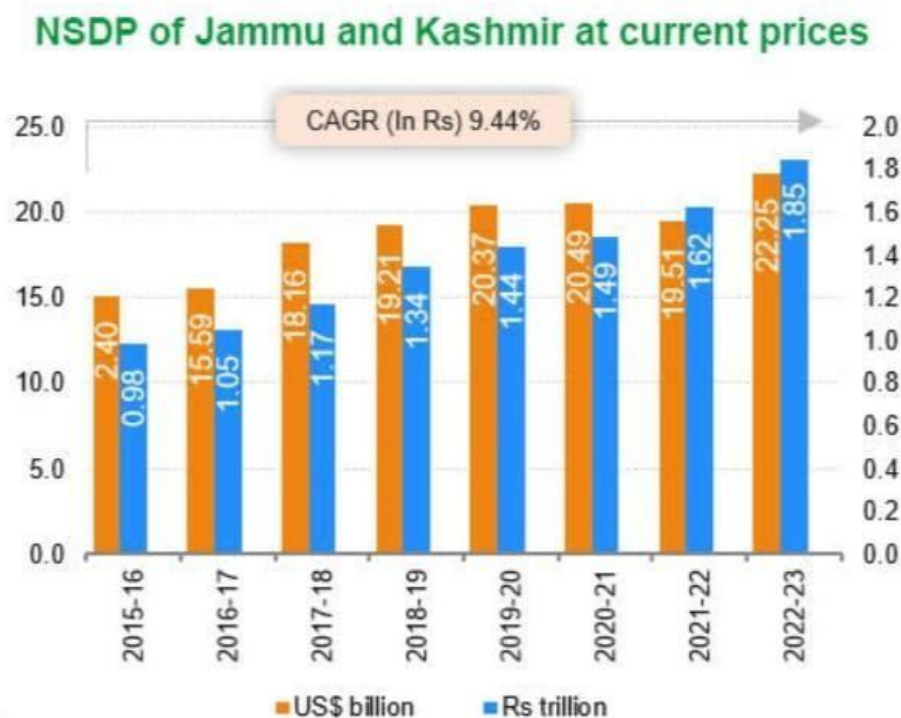
²⁰Analyzing these changes will facilitate a determination of whether the revocation of Article 370 is justifiable. Non-Kashmiri individuals are now permitted to purchase land, a practice that was previously restricted. Additionally, non-permanent residents can seek employment in government positions. The responsibility for maintaining law and order has been assigned to the Ministry of Home Affairs through the governor, eliminating the need for approval from the

¹⁹ About:(wikipedia)https://en.m.wikipedia.org/wiki/Manohar_Lal_Sharma: Advocate;Indian Supreme Court;Known for filing public interest litigation

²⁰ www.IndiaBrandEquityFoundation.org;<https://www.ibef.org/states/jammukashmir#:~:text=Introduction,%2C%20spiritual%2C%20and%20health%20tourism>

Jammu and Kashmir states to enforce union government laws. The Supreme Court's directives will be implemented directly. The Indian national flag will replace the flag of Jammu and Kashmir. The term of the legislative assembly has been shortened to five years, and penalties will be administered in accordance with the Indian Penal Code.

There is a potential for providing 16% reservation for minorities, specifically Hindus and Sikhs. The Right to Information Act (RTI), which was previously inactive, may now be enforced. A Kashmiri woman's permanent citizenship remains intact even if she marries a non-Kashmiri man. Furthermore, the implementation of the Right to Children to Free and Compulsory Education Act 2009 (RTE) is a possibility. These changes resulting from the revocation of Article 370 are expected to foster development across all sectors in Jammu and Kashmir. This will not only benefit the state but also ensure that the populace receives proper education, as evidenced by the survey conducted by the Net State Domestic



18²¹

Sources: Directorate of Economics and Statistics

<https://images.app.goo.gl/ZEyeUYWFKFi3eKv17>

IBEF

²¹ Ibid 18

7. GROWTH AND ADVANTAGES

Between 2019 and 2023, the Gross State Domestic Product (GSDP) has experienced a notable increase of 7.53%²². In the year when Jammu and Kashmir was designated as a global tourism hub, it attracted approximately 2.02 crore visitors from around the globe, with the number reaching 113.16 million tourists by 2021. Also as per the data provided by the ministry of statistics and programme implementation 2024 the NSDP data of jammu and kashmir reached 142,137.891 INR which got elevated compared to that of 51,774.832 in 2012.²³ The region has made significant contributions to power generation, with exports valued at US\$192.86 million²⁴. Additionally, there has been a substantial rise in the production of horticultural products, vegetables, and fruits. To alleviate traffic congestion, the construction of a light metro rail system in Srinagar is underway. Furthermore, the Zojila tunnel is also under construction, with an expected completion date in 2026. Mr. Nitin Gadkari,

Union minister for road transport & highways, allotted Rs. 1404.94 crore for national highway-701's Rafiabab-kupwara-chowkibal-tangdhar-chamkot section's strengthening and expansion²⁵. The department for promotion of industry and internal trade (DPIIT) estimates that between October 2019 and June 2024, Jammu and Kashmir received a total of US\$1.14 million in foreign direct investment²⁶. Housing and urban development have been given Rs. 2,928.04 crore in the state budget 2023-2024²⁷. Jammu and Kashmir produced 98 MT of raw silk in FY 2021-2022. The horticulture sector in the Kashmir region is well known. The industry is essential to the economic growth of UT²⁸. The state's overall production of fruits and vegetables in 2023-2024 was estimated at 1996.18 and 2,643.24 thousand metric tonnes respectively²⁹. The UAE also invested Rs 3000 crore in the region. The government has been giving the handicrafts sector top focus because of its potential for exports and wide range of jobs³⁰. The Jammu and Kashmir government and Flipkart inked a memorandum of Understanding in October 2020 to give local craftspeople, weavers, and artists a global audience through an internet platform³¹. This is an important step in developing the rural

²² Ibid 18

²³ ceicdata.com: <https://www.ceicdata.com/en/india/net-state-domestic-product/nsdp-jammu-and-kashmir>

²⁴ Ibid 18

²⁵ Ibid 18

²⁶ Ibid 18

²⁷ Ibid 18

²⁸ Ibid 18

²⁹ Ibid 18

³⁰ Ibid 18

³¹ Ibid 18

economy, increasing the sales of genuine exotic handicrafts and handloom goods, and looking for new markets for specialized handmade products from Jammu and Kashmir³². In August 2021, the government of the recently established Union Territory of Jammu and Kashmir, India, unveiled a new strategy to revitalize the area's crafts industry³³. The Karkhandar project seeks to raise the living standards of artisans and enhance trainee learning methods³⁴. The UT's nodal organization for the growth and promotion of medium- and large-scale industries is J&K SIDCO. In an attempt to boost tourism, the Jammu and Kashmir government intended to provide helicopter services to a number of popular tourist destinations in July 2021³⁵. The new land laws for Jammu and Kashmir were passed by the Indian government on October 27, 2020³⁶. These rules permit the transfer of land for the benefit of an individual or institution in order to promote healthcare, senior secondary, further, or specialized education. With a total investment of Rs. 28,400 crore (US\$ 3,918 million) through 2037, the Cabinet Committee of Economic Affairs (CCEA) adopted a new plan for the industrial development of the UT of Jammu and Kashmir in January 2021³⁷. These developments highlight the growth and advantages that the state has experienced following the revocation of Article 370. Over the past five years since the revocation, Jammu and Kashmir has witnessed remarkable progress.

CONCLUSION:

The aim of this research was to alter the perception that the revocation of Article 370 was undemocratic and a breach of long-standing commitments. While it may appear unconstitutional, the substantial changes, growth, and benefits that the populace has experienced since the revocation are significant. This is evidenced by surveys, the economic status of Jammu and Kashmir, and its contribution to the national GDP. The upcoming elections also instill hope among the people of Kashmir. In conclusion, despite numerous allegations against this revocation, it has undeniably demonstrated that Jammu and Kashmir is advancing alongside its residents post-revocation.

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³² Ibid 18

³³ Ibid 18

³⁴ Ibid 18

³⁵ Ibid 18

³⁶ Ibid 18

³⁷ Ibid 18

<https://www.isas.nus.edu.sg/papers/abrogation-of-article-370-an-analysis-of-the-supreme-courtverdict/>

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