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Theme :-

- On 6th August 2018, Supreme court will hear a bunch of petitions challenging the validity of Article 35A. This resulted in widespread protests and debates in Jammu & Kashmir.

What is Article 35A :-

- This article defines permanent residents of Jammu & Kashmir state and grants special benefits and rights to the permanent residents.
- As per Article 35A, only permanent residents of J&K have right to own property, to try for government jobs, scholarships and other benefits. It denies these rights to non-residents.

In Favor of abolition :-

- This is against to the fundamental right to equality that was granted to Indian citizens under article 14 of Indian constitution, because if a boy from J & K marries a girl of another state, he will not lose his property. But if a girl does the same, she will lose the property. There is also a restriction that people belonging to SC & ST communities will have to continue their caste occupations to have ownership rights of their properties, which is very regressive.
- Due to restrictions on ownership rights, people of other states are not investing in manufacturing sector affecting the pace of development.
- There was no debate in parliament on this article, when it was added in the constitution. It was directly added in the constitution as per the orders of the then President Dr.Rajendra Prasad in 1954.
- There is a need for good doctors and other professionals in J&K, but Article 35A is restricting people to serve and settle there.

Against to abolition:-

- Article 370 of Indian constitution provides special autonomous status to J&K (It was a temporary provision). Scrapping Article 35A is against to the autonomous status of the state.
- If this article is abolished, influx of migrants will cause stress on resources.
- People of J&K have a fear that the unemployment problem will become much more severe if Article 35A is abolished.
- At present, J&K is a Muslim-majority state. Some people fear that if Article 35A is scrapped, mass influx of migrants will make Muslims a minority in the state.

Conclusion :-

Article 35A is a sensitive issue. It is leading to separatist politics. A balanced approach is needed to resolve this matter. Either completely scrapping the article or keeping it as it is may not stop the protests and problems. Addressing the fears of people and making alternate provisions in the place of the Article 35A may help in solving the issue.

[poll daddy poll="10073132"]

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