

**THE FUTURE OF THE STATE OF KASHMIR: A CRITICAL ANALYSIS OF
INTERSECTION OF CONSTITUTIONAL LEGISLATION IN INDIA AND
INTERNATIONAL LEGAL NORMS**



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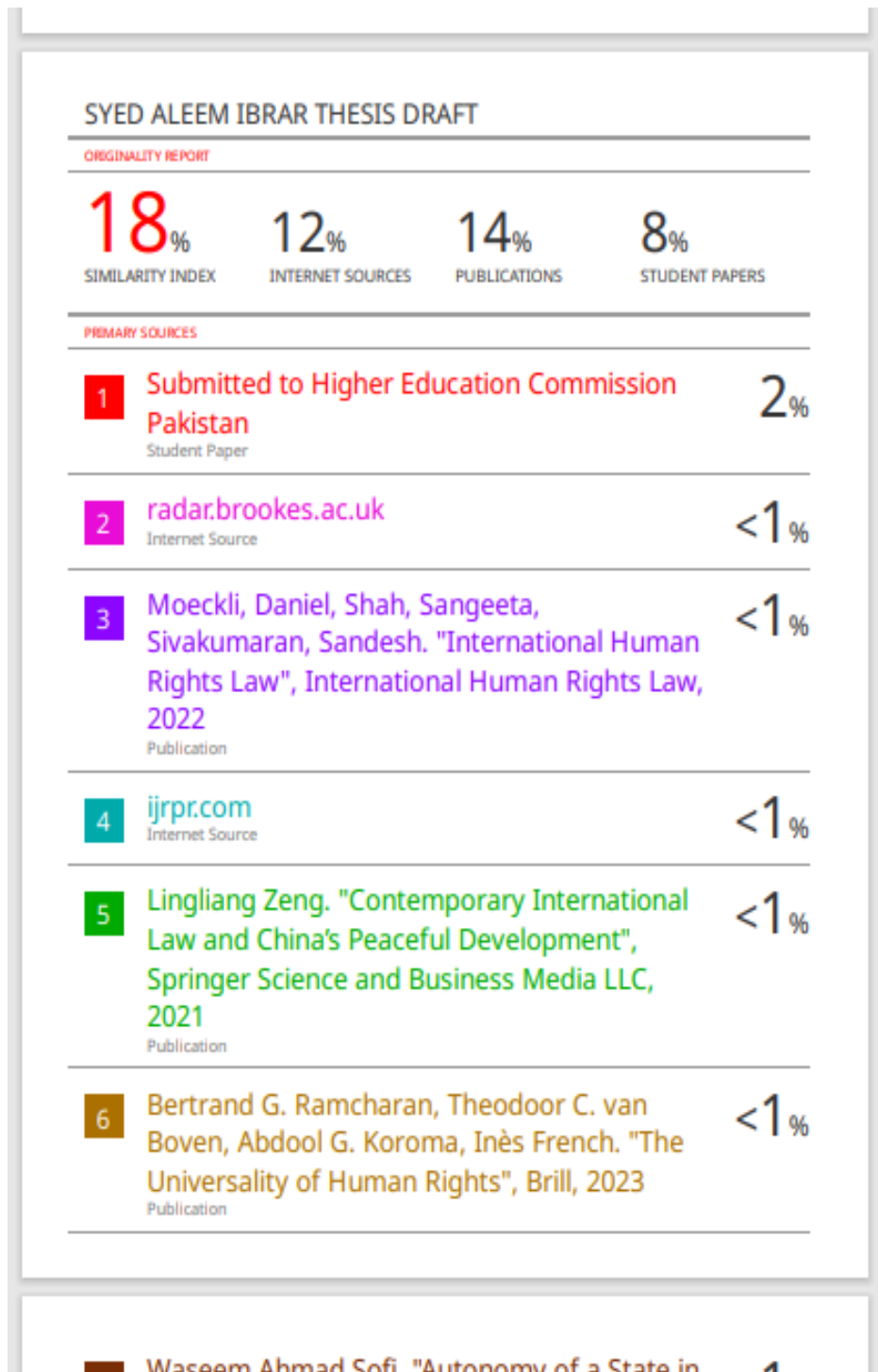
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DEDICATION

This thesis is dedicated to my family and friends for their endless love, support, and encouragement.

Thank you.

ACKNOWLEDGMENT

Alhamdulillah

I express my gratitude to Allah SWT for giving me the strength, knowledge, ability and opportunity to undertake this research and complete in satisfactorily.

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LIST OF ACRONYMS

J&K	Jammu and Kashmir
UN	United Nations
UNSC	United Nations Security Council
ICCPR	International Covenant on Civil and Political Rights
GDP	Gross Domestic Product
BJP	Bharatiya Janata Party
PDP	Peoples Democratic Party
HRW	Human Rights Watch
ICJ	International Court of Justice
UNCIP	United Nations Commission for India and Pakistan
PoK	Pakistan-administered Azad Jammu and Kashmir
LOC	Line of Control
PSA	Public Safety Act
IOK	Indian-administered Jammu and Kashmir
ICRC	International Committee of the Red Cross
IHK	Indian-held Kashmir
NGO	Non-Governmental Organization
PRC	Permanent Resident Certificate
COAS	Chief of Army Staff
UNDP	United Nations Development Programme

ABSTRACT

This thesis presents a comprehensive analysis of the intricate relationship between Indian constitutional law and international legal norms, with a special focus on the state of Kashmir. It offers an in-depth exploration of Kashmir's constitutional journey within the Indian framework, alongside its interaction with international law, unfolding across four critical chapters. Chapter 1 lays the foundational context, tracing Kashmir's historical journey from a princely state to its contentious position under Indian administration. It scrutinizes the legal framework that has governed Kashmir, highlighting the pivotal role of Article 370 and its eventual abrogation. The chapter also delves into the international legal perspective, providing a bird's eye view of global legal principles and their relevance to the Kashmir issue. Chapter 2 shifts the focus to the constitutional developments in India and their direct implications for Kashmir. This segment critically analyses the evolution of Indian constitutional law, especially the legal and political consequences stemming from the revocation of Article 370. It also incorporates a comparative legal analysis, drawing parallels with other regions under special constitutional provisions within India. In Chapter 3, the narrative expands to the global stage, bridging Indian constitutional law with international norms. This chapter examines the principle of self-determination under international law and how it applies to Kashmir. It also presents a comparative study of international responses to similar territorial disputes, providing a broader perspective on the Kashmir issue. The concluding part not only encapsulates the legal complexities but also sheds light on the potential pathways towards a just and peaceful resolution of the Kashmir conundrum. In sum, this thesis aims to unravel the legal intricacies of the Kashmir issue, offering a scholarly perspective that navigates through national and international legal terrains. The research is poised to contribute significantly to legal scholarship and policy-making, fostering a deeper understanding of one of the most complex and enduring territorial disputes in the modern world.

Keywords: Kashmir, Indian Constitutional Law, International Law, Article 370, Self-Determination, Human Rights, Comparative Analysis.

TABLE OF CONTENTS

APPROVAL FOR EXAMINATION	II
AUTHOR’S DECLARATION	III
PLAGIARISM UNDERTAKING	IV
PLAGIARISM REPORT	V
DEDICATION	VI
ACKNOWLEDGMENT	VII
LIST OF ACRONYMS	VIII
ABSTRACT.....	IX
CHAPTER NO 1	1
EVOLUTION OF KASHMIR'S CONSTITUTIONAL STATUS AND INTERNATIONAL LAW DYNAMICS: AN OVERVIEW	1
1.1.Introduction.....	1
1.2.Research Statement.....	3
1.3.Historical Context of Kashmir within Indian Constitutional Law.....	4
1.4.The International Legal Framework on Kashmir Issue: Bird Eye View	6
1.5.Literature Review	7
1.6.Legal Research Questions.....	14
1.7.Legal Research Objectives.....	14
1.8.Research Methodology	15
1.9.Significance of this Research.....	15
1.10.Conclusion	16
CHAPTER NO 2	18
CONSTITUTIONAL LEGISLATION IN INDIA AND ITS APPLICATION IN KASHMIR	18
2.1.The Evolution of Indian Constitutional Law	18
2.2.Historical Overview of Article 370 and Its Abrogation	19
2.3.Recent Verdict of Supreme Court of India on Article 370.....	22
2.3.1. Precise Summary.....	23
2.4.Legal and Political Implications of Constitutional Changes in Kashmir.....	24
2.4.1. Legal Implications:	24
2.4.2. Political Implications:	24
2.4.3. Legal and Political Analysis:	25
2.5.Comparative Analysis: Other Regions under Special Constitutional Provisions in India	25
2.5.1. North-Eastern States and Article 371:	26
2.5.2. Analysis of Regional Autonomy:.....	26
2.5.3. Comparative Legal Perspective:	26

2.6. Analysis of Legal Arguments Surrounding Article 370's Revocation.....	27
2.7. Conclusion	29
CHAPTER NO 3	31
KASHMIR: BRIDGING INDIAN CONSTITUTIONAL LAW AND INTERNATIONAL NORMS IN THE QUEST FOR JUSTICE AND SOVEREIGNTY	31
3.1. Introduction.....	31
3.2. The Concept of Self-Determination in International Law	32
3.3. Theoretical Perspectives on Conflict Resolution and Self-Determination	36
3.4. Analysis of International Legal Norms and Their Applicability to Kashmir	38
3.5. India's International Obligations and the Kashmir Issue.....	45
3.6. Comparative Study of International Legal Responses to Similar Territorial Disputes	54
3.7. The Role of International Human Rights Law in the Kashmir Context	56
3.8. Conclusion	58
CONCLUSION AND RECOMMENDATIONS	59
Conclusion	59
Recommendations.....	62
BIBLIOGRAPHY	66
Primary Sources	66
Secondary Sources	66