

2023 LiveLaw (SC) 696

IN THE SUPREME COURT OF INDIA

DR. D.Y. CHANDRACHUD; CJI., SANJAY KISHAN KAUL; J., SANJIV KHANNA; J., B.R. GAVAI; J., SURYA KANT; J.

Writ Petition(s)(Civil) No(s).1099/2019; 23-08-2023

IN RE: ARTICLE 370 OF THE CONSTITUTION

Constitution of India, 1950; Article 370 - Union Government has absolutely no intent to affect any of the special provisions in Part XXI applicable to the North East or to any other part of India. The reference to the Constitution Bench is confined to the provisions of Article 370 of the Constitution. (Para 4, 5)

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ORDER

- 1 Arguments heard in part.
- 2 List the Petitions for further hearing tomorrow (24 August 2023) as part-heard matter.

IA No 160049 of 2019 in Writ Petition (Civil) No 1013 of 2019

- 3 The applicant, urging his submissions through Mr Manish Tewari, counsel, has urged that apart from the provisions contained in Part XXI of the Constitution pertaining to Jammu and Kashmir, there are special provisions in the Constitution governing the North East in the same Part. It has been submitted that the interpretation which would be placed by this Court on Article 370 would possibly impact upon the other provisions.
- 4 The Solicitor General has submitted, on the specific instructions of the Union Government, that the Union Government has absolutely no intent to affect any of the special provisions in Part XXI applicable to the North East or to any other part of India.
- 5 The reference to the Constitution Bench is confined to the provisions of Article 370 of the Constitution. There is no commonality of interest between the issues which are sought to be addressed by the impleador and the issues which have been raised in the reference to the Constitution. In any event, the statement which has been made on behalf of the Union Government would allay any apprehension in that regard.
- 6 We, therefore, close the IA, which stands disposed of.

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