

EXTRAORDINARY

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PART IV

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MINISTRY OF HOME AFFAIRS

(Department of Jammu and Kashmir Affairs)

NOTIFICATION

New Delhi, the 19th December, 2018.

G.S.R. 1223(E).—The following Proclamation by the President is
published for general information :—

Whereas, I, Ram Nath Kovind, President of India, have received a
report from the Governor of the State of Jammu and Kashmir and after
considering the report and other information received by me, I am satisfied
that a situation has arisen in which the Government of that State cannot

be carried on in accordance with the provisions of the Constitution of India, as applicable to that State (hereinafter referred to as "the Constitution") and of the Constitution of Jammu and Kashmir (hereinafter referred to as "the State Constitution").

Now, therefore, in exercise of the powers conferred by article 356 of the Constitution, and of all other powers enabling me in that behalf, I hereby proclaim that I :—

- (a) assume to myself as President of India all the functions of the Government of the said State and all powers vested in or exercisable by the Governor of that State under the Constitution and the State Constitution ;
- (b) declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament ; and
- (c) make the following incidental and consequential provisions which appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely :—
 - (i) in the exercise of the functions and powers assumed to myself by virtue of clause (a) of this Proclamation as aforesaid, it shall be lawful for me as President of India to act to such extent as I think fit through the Governor of the said State ;
 - (ii) the operation of the following provisions of the Constitution and of the State Constitution is hereby suspended, namely :—

“So much of the first proviso to article 3 of the Constitution as relates to the reference by the President to the Legislature of the State and the second proviso to that article ; so much of clause (2) of article 151 of the Constitution as relates to the laying before the Legislature of the State of the report submitted to the Governor by the Comptroller and Auditor-General of India ;

