The Kashmir issue is one of the most burning issues in the Indian Subcontinent. A study of the State's past would show that the people of the state of Jammu and Kashmir have been suffering both prior to and after independence. History shows that Politicians have always dealt with the Kashmir issue, either from the Indian perspective or else from the Pakistani perspective. There has never been any attempt to review of the Kashmir issue purely from the Kashmiri perspective. This research studies the Kashmir issue mainly from a Kashmiri perspective and aims at striking an appropriate balance to the Kashmir problem. It may be noted that this research deals with the Kashmir issue as an Indo-Kashmir problem and not an Indo-Pak problem. The reason for not dealing with the Kashmir issue as an Indo-Pak problem has been explained in the instant research.

It is pertinent to mention that this research draws inspiration from the research of Dr. Adarsh Sein Anand* and in some places heavily relies upon his work. However, this research totally differs from the research of Dr. A. S. Anand. Dr. A. S. Anand was awarded the Degree of Doctor of Philosophy in Law in the Field of Constitutional Laws of the Commonwealth by the London University for his thesis “Development of the Constitution of Jammu and Kashmir” in the year 1963. The Constitution of Jammu and Kashmir came into

* Former Chief Justice of India.
force on 26th January 1957. His research is primarily a historical narration as to how the Constitution of Jammu and Kashmir, 1957, came into force. While tracing the history of Jammu and Kashmir he has critically analyzed each and every event that lead to the framing of the State's Constitution. However, he could not deal with the events that occurred after the completion of his research. It may be noted that since then, during the past forty years, much has happened. In his research he has neither dealt with the Kashmir issue as we see it today, nor has he made any suggestion to as what would be a legally acceptable solution to the Kashmir issue.

The present research deals solely with finding a legal solution to the Kashmir issue and is aimed at advising the Government of India accordingly. This research boldly faces the harsh reality of the Kashmir issue without ignoring various religious, political and other vested interests of different power groups and aims at finding a simple solution to the Kashmir issue that may be legally accepted by all. It is hoped that the findings and suggestions of this research shall help the Government of India to deal with the Kashmir issue more aptly. It is also hoped that this research manages to fulfill the combined hopes and aspirations of the people of both India and Kashmir and provide a permanent solution to the Kashmir issue.

(Sutanu Kumar Patra)