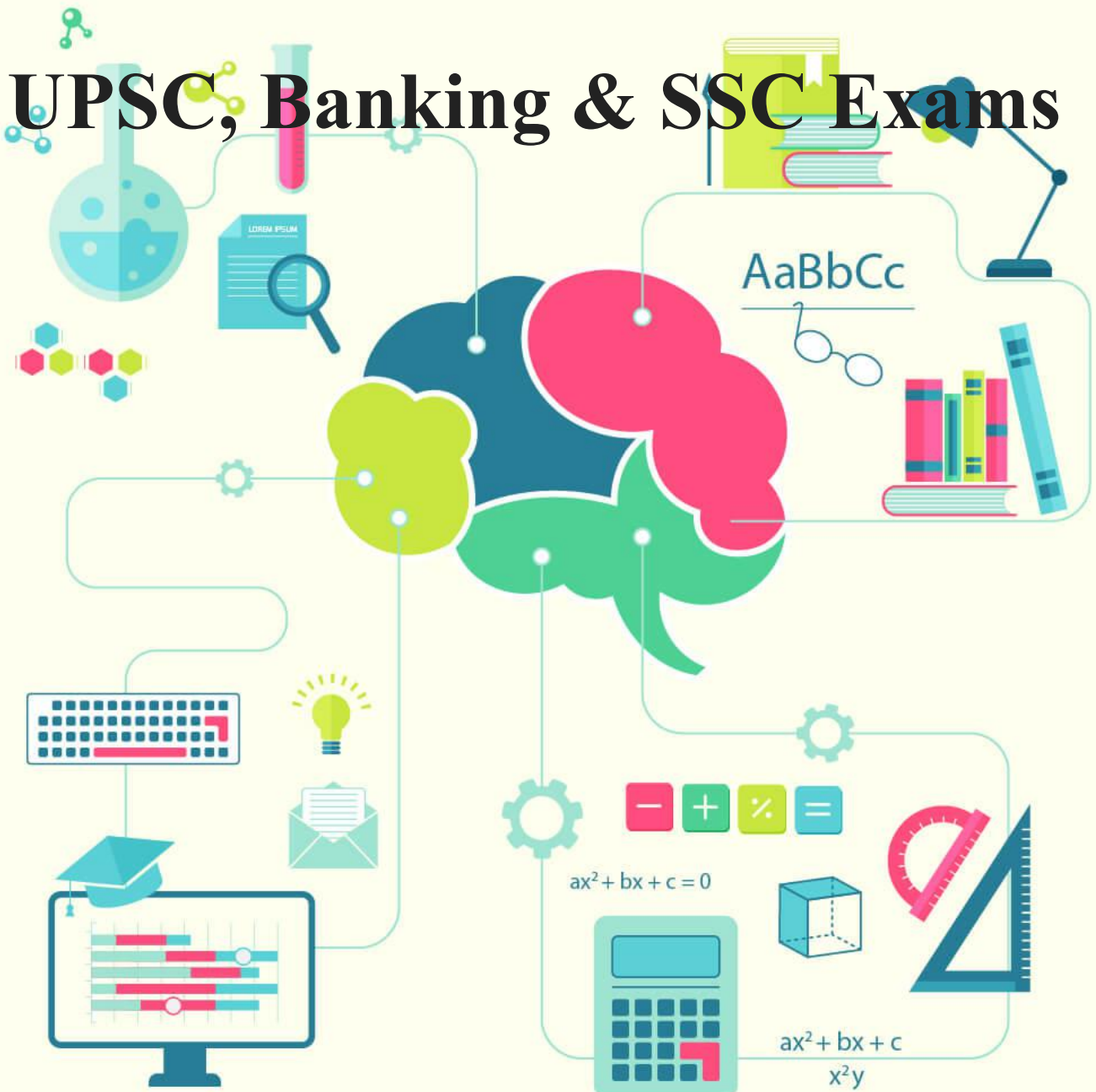


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Emergency Provisions In Indian Constitution Notes PDF For

UPSC, Banking & SSC Exams



Emergency Provisions In Indian Constitution Notes PDF:

The Emergency provisions for India are mentioned in the **Part XVIII** of the constitution from Articles **352** to **360**.

Reason For Emergency Provisions in India:

These Emergency provisions are included in the constitution to preserve the **sovereignty, Unity, Integrity & Security** of the country. There are 3 emergencies mentioned in the constitution.

Types Of Emergencies in India:

1. National Emergency
2. State Emergency
3. Financial Emergency

1. National Emergency in India:

According to Article **352**, President can declare national emergency on the grounds of war, external aggression or armed rebellion. The president can declare emergency even before the occurrence of the threat if he is satisfied that there is an imminent danger. When the emergency is declared on the ground of **war** or **external aggression** it is called '**External Emergency**'. If the emergency is declared on the ground of **armed rebellion** it is called '**Internal Emergency**'. In **1975**, **National Emergency** was declared on the ground of **Internal Disturbances**. The word 'Armed Rebellion' replaced the word 'Internal Disturbances' by the 44th Constitutional Amendment Act, 1978.

The Proclamation of Emergency by the president on the written recommendation of the cabinet should be approved by the both houses of the parliament with **special majority** within **1 month**. If approved the emergency continues for **6 months** and can be extended for an **indefinite** period by the parliament approval for every 6 months. To revoke the national emergency, a resolution with a simple majority should be passed by the Loksabha.

How many times National Emergency Declared in India?

1.The first National Emergency was declared in October **1962** on the ground of **chinese** aggression on the North East Frontier Agency.

2.The second National Emergency was proclaimed due to the **Pakistan** attack in **1971**.

Both **1 & 2** are **external** emergencies.

3.Third National Emergency was announced in June **1975** while the second national emergency was in continuation. Third National Emergency was an **Internal** Emergency on the ground of Internal Disturbances.

2.State Emergency in India:

Under Article 355, duty is imposed on the centre to ensure that government of every state was carried in accordance with the provisions of the constitution. Accordingly if there is failure of constitutional machinery in a state, centre can take over the state government under Article **356**.This is known as State Emergency/ **President's Rule**.

State Emergency can be declared on two grounds:

1.Constitutional Machinery breakdown

2.Non-compliance with centre's directions

The State Emergency proclamation should be approved by the both houses of the parliament with **simple majority** within **2 months**.If approved the emergency continues for **6 months** and can be extended for a maximum period of **3 years** by the parliament approval for every 6 months.The State emergency can be revoked by the president on his own without any parliament approval.

How many times State Emergency Declared in India?

Since the adoption of the constitution, the state emergency was declared more than 100 times.Article 356 has been the most controversial and criticized provision of the constitution.President's Rule was **first** imposed in **Punjab** in 1951.

3.Financial Emergency in India:

Under Article **360**, President can proclaim Financial Emergency if he is satisfied that there is a situation in which financial stability or financial credibility of the Nation is threatened. The Financial Emergency proclamation should be approved by the both houses of the parliament with **simple majority** within **2 months**. If approved the emergency continues for an **indefinite** period. Without any parliament approval the President can revoke the financial emergency at anytime.

How many times Financial Emergency Declared in India?

No financial Emergency was declared till now though there was a Financial Crisis in 1991.

Articles Of Emergency In Indian Constitution:

Article	Subject Matter
352	Proclamation Of Emergency
353	Effect Of Proclamation Of Emergency
354	Application of provisions relating to revenue distribution while a proclamation of emergency is in operation
355	Duty of the Union to protect states against external aggression and internal disturbance
356	Provision in case of failure of constitutional machinery in states
357	Exercise of legislative powers under Article 356
358	Suspension of Article 19 during

	emergencies
359	Suspension of enforcement of part III during emergency
360	Provisions Of Financial Emergency

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