Unit - 5

Local self-government

Types of Emergency

National Emergency (Article 352)

State Emergency (Article 356)

Financial Emergency (Article 360)

Local self-government

- It is the village or Grama-Panchayats. The Zilla Parishad also belongs to this category.
- Grama Panchayat is an excellent example of Democratic set-up of India.
- Elected representative of Gram Panchayat is known as Sarpanch.

Definition of Self-government

Self-government is a system in which the citizens of a country (or smaller political unit, such as a state) rule themselves and control their own affairs.

Republican **governments** and democracy in the United States are based on principles of **self-government**.

Necessary of local self-government

A democratic form of **government** must be sustained by a system of vigorous **local self-government** institutions.

Local self - government institutions provide an opportunity to the people to participate freely and actively in the **government** which they formulate for their respective areas.

Part Eighteen of the Constitution of India

- Emergency Provisions are contained in Part Eighteen of the Constitution of India.

- The **President** of India has the **power** to impose emergency rule in any or all the Indian states if the security of part or all of India is threatened by "war or external aggression or armed rebellion".

Types of Emergency

- **Three types** of emergency which can be proclaimed in India

- National Emergency

- State Emergency or Presidential Rule in state

- Financial Emergency.

National Emergency (Article 352)

The President of the State is not satisfied with a grave emergency exists whereby the security of India or any part is threatened whether by war or external aggression or an armed rebellion, then he may proclaim a state of national emergency for the whole of India or a part of India.

- It can be revoked by the President subsequently.
- The proclamation of emergency is made under article 352
- It may be subjected to the Judicial review
- It can be questioned in a court of law on the grounds of Malafide.
- It must be approved by both the houses of parliament within one month after the proclamation.
- The effect of the proclamation of emergency is the emergence of the full-fledged Unitary Government. So far 3 times (1962, 1971 and 1975)

State Emergency (Article 356)

- Article 356 provides that if the President, on receipt of a report from the Government of a state is satisfied that a situation has arisen in which the Government of the State cannot be carried on by the provisions of the Constitution; the President may issue a proclamation.
- The President may declare that the powers of the legislature of the State shall be exercisable by the Parliament.
- The proclamation of emergency is made under Article356
- It must be laid before each House of the Parliament If the proclamation is not approved by both Houses, it will expire in two months.
- The Proclamation is so approved by Parliament and it shall be in operation for six months.

Financial Emergency (Article 360):

Article 360 states that if the President is satisfied that a situation has arisen whereby the financial stability or the credit of India or any part thereof is threatened, President may declare a state of financial emergency.

The Executive authority of the Union extends to the giving of directions to any State to observe such canons of financial propriety and it may also include:

A provision required the reduction of salaries and allowances of all or any class of person serving a State or the Union.

A provision requiring all Money Bills or other Financial Bills to be reserved for the consideration of the President after they are passed by the legislature of the State.

- A Proclamation issued under Article 360 will remain in force for two months unless before the expiry of the period
- It is approved by both the Houses of the Parliament.
- Once approved it remains in force till revoked by the President.