

Important Articles of the Indian Constitution and their relevant aspects

Article	Title/Features	Related Amendment / Acts	Related Judgments	Important elements/Remarks
Preamble	'Non-justiciable'	<ul style="list-style-type: none"> 42nd Constitutional Amendment Act, 1976 (Added the words- Socialist, Secular and Integrity) 	<ul style="list-style-type: none"> Re: Berubari Union Case Golaknath v. State of Punjab Kesavananda Bharati v. State of Kerala Indira Gandhi v. Raj Narain Minerva Mills v. UOI 	<ul style="list-style-type: none"> The Preamble is not only a <u>part of the Constitution</u> but can also be amended like any other part of the constitution. The mind of the makers of the Constitution is reflected in the Preamble
Art. 2-3	a) Admission or establishment of New States b) Formation of new states, alteration of areas, boundaries and names	<ul style="list-style-type: none"> States Reorganisation Act, 1956 7th Constitutional Amendment Act, 1956 100th Constitutional Amendment Act, 2015 	<ul style="list-style-type: none"> In Re: Berubari Union Case 	<ul style="list-style-type: none"> Dhar Commission JVP Committee Fazl Ali Commission
Art. 5-11	Citizenship and its related provisions	<ul style="list-style-type: none"> Citizenship Act, 1955 	<ul style="list-style-type: none"> State of U.P. v. Rehmatullah 	Modes of acquiring citizenship- 1. By Birth 2. By Descent 3. By Registration

				4. By Naturalisation 5. By Incorporation of Territory Loss of Citizenship- 1. By Renunciation 2. By Termination 3. By Deprivation
Art. 12	Definition of 'State' for Part III includes- (1) Government & Parliament of India (2) Government & Legislature of State (3) Local and other authorities within the territory of India and under the control of Government		<ul style="list-style-type: none"> • Ajay Hasia v. Khalid Mujib • Rupa Hurra v. Ashok Hurra • R.D.Shetty v. International Airport Authority 	<ul style="list-style-type: none"> • Definition of 'State' includes not only the Executive and Legislative organs of Union and States, but also Local bodies and other authorities, including 'instrumentalities and agencies' of the State or bodies which discharge public functions of governmental character
Art. 13	<ul style="list-style-type: none"> • Any 'Pre-Constitution' or 'Post-Constitution' law(s) which are inconsistent with or in 	24 th Constitution Amendment Act, 1971 inserted Clause (4) which suggest that this	<ul style="list-style-type: none"> • Golaknath v. State of Punjab • Shankari Prasad v. UOI • Kesavananda Bharati v. 	<ul style="list-style-type: none"> • Forms the basis for 'Judicial Review' • Doctrine of Severability

	<p>derogation of fundamental rights shall be void (to the extent of such consistency)</p> <ul style="list-style-type: none"> • Defines 'Law' for this article 	<p>article is NOT applicable to amendment under Article 368</p>	<p>State of Kerala</p> <ul style="list-style-type: none"> • Minerva Mills v. Union of India (UOI); S.P. Gupta v. UOI 	<ul style="list-style-type: none"> • Doctrine of Eclipse
Art. 14	<ul style="list-style-type: none"> • Equality before Law (negative concept) • Equal protection of Law (positive concept) • Reasonable classification and Intelligible differentia 	<ul style="list-style-type: none"> • Transgender Persons (Protection of Rights) Act, 2019 	<ul style="list-style-type: none"> • Shayara Bano v. UOI (Triple Talaq case) • Indian Young Lawyers Association & Ors v. The State of Kerala & Ors. (Sabarimala temple case) • Joseph Shine v. UOI • NALSA v. UOI • Navtej Singh Johar v. UOI 	<ul style="list-style-type: none"> • Negative right against State • It is a subset of 'Rule of Law' (A.V. Dicey) • Important rules – <i>Audi alteram partem</i> and <i>Nemo judex in causa sua</i>
Art. 15	<ul style="list-style-type: none"> • Prohibition of discrimination on the basis of – religion, race, caste, sex or place of birth • Special provision(s) may be made for - Women and children; socially and 	<ul style="list-style-type: none"> • 1st Amendment Act, 1951 added clause (4) and 93rd Amendment Act, 2005 added clause (5) to the article • 103rd Amendment Act, 2018 	<ul style="list-style-type: none"> • Vishakha v. State of Rajasthan; • State of Madras v. Champakan Dorairajan 	

	educationally backward classes; SC and ST			
Art. 16	<ul style="list-style-type: none"> • Equality of opportunity in matters relating to employment or appointment to any office under the State • No discrimination on the basis of – religion, race, caste, sex, descent, place of birth, residence or any of them • Reservation of posts for backward classes <i>not adequately represented</i> in services • Provision for reservation in promotion 	<ul style="list-style-type: none"> • 77th Amendment Act, 1995 added clause (4A) and 81st Amendment Act, 2000 added clause (4B) • The 102nd Constitutional Amendment, 2018 provides a Constitutional status to the National Commission for Backward Classes (NCBC). • 103rd Amendment Act, 2018 	<ul style="list-style-type: none"> • Indira Sawhney v. UOI; • M. Nagaraj v. Union of India • Jarnail Singh v. Lacchmi Narain Gupta 	<ul style="list-style-type: none"> • ‘Creamy Layer’ concept
Art. 17	<ul style="list-style-type: none"> • Practicing ‘untouchability’ is a punishable offence • Read with Article 35 	<ul style="list-style-type: none"> • The Civil Rights Protection Act 1955 • Bonded Labour System Act, 1976 	<ul style="list-style-type: none"> • People Union for Democratic Rights (PUDR) v. UOI • Devarajjah v. Padmana 	

		<ul style="list-style-type: none"> • Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 2018 Amendment Act • Manual Scavengers of Latrines Prohibition Act, 1993 	<ul style="list-style-type: none"> • Subhash Kashinath Mahajan v. State of Maharashtra 	
Art. 19	Right to Freedom- (a) Of speech and expression (b) To assemble peaceably (c) To form associations/unions (d) To move freely through Indian territory (e) To reside in any part of India (f) – <i>Omitted</i> - (g) To practice any profession, occupation, trade or business	<ul style="list-style-type: none"> • Right to Information Act, 2005 (2019 Amendment) • Information Technology Act, 2000 • 97th Constitutional Amendment, 2011 	<ul style="list-style-type: none"> • Vishakha v. State of Rajasthan • Maneka Gandhi v. UOI • Romesh Thappar v. State of Madras • AK Gopalan v. State of Madras • Naz Foundation v. Govt. of NCT of Delhi 	<ul style="list-style-type: none"> • Applicable for 'Citizens' ONLY • Freedom of Speech and Expression has been expanded and now includes multiple rights

<p>Art. 20</p>	<p>Protection in respect of conviction-</p> <p>(1) Ex-post facto law (2) Double jeopardy (3) Self-incrimination</p>		<ul style="list-style-type: none"> • MP Sharma v. Satish Chandra • Kalawati v State of Himachal Pradesh • State of Bombay v. Kathi Kalu • Selvi v. State of Karnataka 	<ul style="list-style-type: none"> • Clause (1) and (3) applicable on <u>criminal laws/proceedings only</u> • Clause (2) [<i>res judicata</i>] not applicable for proceedings before departmental or administrative authorities • Art. 20(3) now includes protection against the misuse of deception detection tests (DDT) like polygraph, narco-analysis and brain-mapping etc.
<p>Art. 21</p>	<ul style="list-style-type: none"> • Right to Life and Personal liberty • Restricted only by the 'procedure established by law' 	<ul style="list-style-type: none"> • Section 309, IPC • Section 377, IPC • The Mental Healthcare Act, 2017 	<ul style="list-style-type: none"> • Kharak Singh v. State of UP • Golaknath v. State of Punjab • Hussainara Khatoon v. Home Secretary, State of Bihar 	<ul style="list-style-type: none"> • It has come to include- Right to safe environment , dignity of labour, right to livelihood, right to privacy

			<ul style="list-style-type: none"> • Kesavananda Bharati v. State of Kerala • Maneka Gandhi v. UOI • Minerva Mills v. UOI • Murli Deora v. UOI • Olga Tellis v. UOI • MC Mehta v. UOI • DK Basu v. State of West Bengal • Aruna Shanbaug v. UOI • Sunil Batra v. Delhi Administration • Justice KS Puttaswamy (Retd) v. UOI • Navtej Johar v. UOI 	
Art. 21A	Right to Education	<ul style="list-style-type: none"> • 86th Amendment Act, 2002 • Right of Children to Free and Compulsory Education Act, 2009 	<ul style="list-style-type: none"> • Unni Krishnan v. State of Andhra Pradesh • TMA Pai Foundation v. State of Karnataka 	<ul style="list-style-type: none"> • Read with Art. 45 and 51A • Annual Status of Education Report (ASER)
Art. 22	Protection against arrest and detention in case of – (a) Punitive detention (b) Preventive detention	<ul style="list-style-type: none"> • Preventive Detention Act, 1950 • National Security Act, 1980 • Terrorist and Disruptive Activities 	<ul style="list-style-type: none"> • AK Gopalan v. The State of Madras • Khudiram v. State of West Bengal • DK Basu v. State of West Bengal 	<ul style="list-style-type: none"> • Right to consult and be defended by legal practitioner • Rights under clause (2) available only for 'illegal detention'

		(Prevention) Act (TADA), 1985 • Prevention of Terrorist Activities Act (POTA), 2002 • Unlawful Activities (Prevention) Act, 2008 • UAPA Amendment Act, 2019	• Addl. Distt. Magistrate, Jabalpur v. Shivakant Shukla	• Provision for an 'advisory board'
Art. 23-24	• Right against exploitation – (a) Prohibition of trafficking of human beings, <i>begar</i> and forced labour (b) Prohibition of employment of children (below 14 years) in factories or other hazardous work • Provision of 'compulsory service' by State	• The Factories Act, 1948 • The Employment of Children Act, 1938 • The Mines Act, 1952 • The Immoral Traffic (Prevention) Act, 1956 • Child Labour (Prohibition and Regulation) Act, 1986. (Amendment in 2016) • Juvenile Justice (Care and Protection of Children) Act, 2000 • Commission for Protection of Child Rights Act, 2005	• People's Union for Democratic Rights v. UOI • Bandhua Mukti Morcha v. UOI • MC Mehta v. State of Tamil Nadu • Sheela Barse v. Sect. Children Aid Society	• Art. 24 is usually read with Art. 39(e) and Art. 39(f). • The National Commission for the Protection of Child Rights (NCPCR) was set up to support Art. 23 and 24

		<ul style="list-style-type: none"> • Protection of Children from Sexual offences (POCSO) Act, 2012 		
Art. 25-28	<p>Freedom -</p> <p>(1) of conscience and free profession, practice and propagation of religion</p> <p>(2) to manage religious affairs</p> <p>(3) as to payment of taxes for promotion of any particular religion</p> <p>(4) as to attendance at religious instruction or religious worship in certain educational institutions</p>	<ul style="list-style-type: none"> • Hindu Marriage Act, 1955 • Hindu Succession Act, 1956 (Amendment Act, 2005) • Muslim Personal Law (Shariat) Application Act, 1937 	<ul style="list-style-type: none"> • S.R. Bommai v. UOI • Shayara Bano v. UOI (Triple Talaq case) • Indian Young Lawyers Association & Ors v. The State of Kerala & Ors. (Sabarimala temple case) • Bijoe Emmanuel and Ors. v. State of Kerala 	<ul style="list-style-type: none"> • Reasonable restrictions under (a) Art. 25: Public order, morality, health and other provisions of Part III (b) Art. 26: Public morality, morality and health • Art. 27 prohibits only levy of a 'tax' and not a fee • 'Essential practices' Doctrine
Art. 29-30	<p>1) Protection of interest of minorities: Right to conserve language, script or culture and regarding admission in educational</p>		<ul style="list-style-type: none"> • State of Madras v. Champakam Dorairajan • Kerala Education Bill (in re) • T.M.A. Pai Foundation v. State of Karnataka 	<ul style="list-style-type: none"> • Art. 30 is confined only to 'minorities' (religious and linguistic) and doesn't extend to any section of citizens (under

	<p>institutions maintained by State</p> <p>2) Right of minorities to establish and administer educational institutions</p>		<ul style="list-style-type: none"> Unnikrishnan v. State of Andhra Pradesh 	Article 29)
<p>Art. 32 Art. 226</p>	<ul style="list-style-type: none"> Remedy for enforcement of rights Writs to be issued- <ul style="list-style-type: none"> (a) Habeas corpus (b) Mandamus (c) Prohibition (d) Quo warranto (e) Certiorari Power of SC (A. 32) is narrower than the HC (A. 226) as it can issue writs <u>only</u> for breach of fundamental rights, whereas HC can issue writs for FRs and other rights. Public Interest Litigation (PIL) 		<ul style="list-style-type: none"> M.C. Mehta v. UOI (Oleum gas leak case) ADM Jabalpur v. Shivakant Shukla Vishaka v. State of Rajasthan Hussainara Khatoon v. State of Bihar Sheela Barse v. State of Maharashtra Nilabati Behera v. State of Orissa 	<ul style="list-style-type: none"> Basis for Judicial Review Art. 32 is itself a fundamental right (termed as <i>heart and soul</i> of the Constitution by Dr. Ambedkar) and hence SC cannot refuse to entertain it; Art. 226 is discretionary which implies that HC may refuse to exercise its writ jurisdiction. PIL continues to provide relief for the helpless, in contrast has also overburdened the

				courts.
Art. 36 to 51	Directive Principles of State Policy- a) Socialist Principles b) Gandhian Principles c) Liberal Principles	<ul style="list-style-type: none"> • 24th and 25th Amendment, 1971 • 42nd Amendment, 1976 • 44th Amendment, 1978 • 86th Amendment, 2002 • 97th Amendment, 2011 • The Ancient and Historical Monument and Archaeological Sites and Remains Act (1951) • Maternity Benefit Act, 1961 • Equal Remuneration Act, 1976 • 73rd and 74th Amendment Act, 1992 • Right to Education Act, 2009 	<ul style="list-style-type: none"> • Golaknath v. State of Punjab • Kesavananda Bharati v. State of Kerala • Minerva Mills v. UOI • In Re Kerala Education Bill • Randhir v. UOI 	<ul style="list-style-type: none"> • Guidelines for Governance by State • Non-Justiciable • Aim at establishing social and economic democracy • Other Directives beside Part IV- a) Art. 335 b) Art. 350-A c) Art. 351

Art. 39A	Equal Justice and Free Legal Aid	<ul style="list-style-type: none"> • 42nd Amendment Act, 1976 • Legal Services Authorities Act, 1987 (Amendment Act, 1994) 	<ul style="list-style-type: none"> • Sheela Barse v. State of Maharashtra • Abdul Hasan and National Legal Services Authority v. Delhi Vidyut Board • Hussainara Khatoon v. State of Bihar • Indira Gandhi v. Raj Narain 	<ul style="list-style-type: none"> • Lok Adalats • National Legal Services Authority
Art. 44	Uniform Civil Code	<ul style="list-style-type: none"> • Muslim Women (Protection of Right On Divorce) Act 1986 	<ul style="list-style-type: none"> • Ahmed Khan v. Shah Bano • Sarla Mudgal v. UOI • Mhmd Ahmed v. Shah Bano • Shayara Bano v. UOI 	<ul style="list-style-type: none"> • 21st Law Commission
Art. 50	Separation of Judiciary from executive (Doctrine of Separation of Power)		<ul style="list-style-type: none"> • Supreme Court Advocates-on-Records Association v. UOI • Re Delhi Laws Act case • Kesavananda Bharati v. State of Kerala • Ram Jawaya v. State of Punjab 	<ul style="list-style-type: none"> • Doctrine of 'Checks and Balances' forms an integral part of Separation of Power
Art. 51A	Fundamental duties	<ul style="list-style-type: none"> • 42nd Amendment, 1976 (Part IV-A) • 86th Constitution Amendment, 2002 [added clause (k)] 	<ul style="list-style-type: none"> • Rural litigation & entitlement Kendra v. State of Uttar Pradesh • M.C. Mehta v. UOI 	<ul style="list-style-type: none"> • Swaran Singh Committee • Non-justiciable • Act as guidelines for

		<ul style="list-style-type: none"> • The Prevention of Insults to National Honour Act, 1971 • Protection of Civil Rights Act, 1955 • Indian Penal Code, 1860 • Unlawful Activities (Prevention) Act, 1967 • Representation of People Act, 1951 • Wildlife (Protection) Act, 1972 • Forest (Conservation) Act, 1980 	<ul style="list-style-type: none"> • AIIMS Student's Union v. AIIMS 	<p>citizens</p> <ul style="list-style-type: none"> • Verma Committee on FDs (1999)
<p>Art. 52 Art. 153</p>	<ul style="list-style-type: none"> • President of India • Governor of State(s) 	<ul style="list-style-type: none"> • 24th Amendment, 1971 (President's assent to Constitutional Bill is obligatory) • 44th Amendment, 1978 (President can ask CoM to reconsider advice <u>once</u>) 	<ul style="list-style-type: none"> • Madhav Rao Scindia v. UOI • Ram Jawaya v. State of Punjab 	

Art. 72 Art. 161	<ul style="list-style-type: none"> • Power of President to grant pardons • Similar powers to Governor in State (with some changes) 		<ul style="list-style-type: none"> • Maru Ram v. UOI • Kehar Singh v. UOI • K.M. Nanavati v. State of Bombay • Epuru Sudhakar v. Government of Andhra Pradesh 	<ul style="list-style-type: none"> • Under A. 161, the Governors DO NOT hold pardoning powers w.r.t Court Martial and cannot <i>pardon</i> death sentence.
Art. 76 Art. 165	<ul style="list-style-type: none"> • Attorney-General for India • Advocate-General for State 			<ul style="list-style-type: none"> • Highest Law Officer in India and State, respectively • Attorney General is NOT a full-time counsel of the Government • Attorney General is NOT debarred from private legal practice
Art. 79-81 Art. 168-172	<ul style="list-style-type: none"> • Parliament • State Legislature 	<ul style="list-style-type: none"> • Representation of People Act (1951) • 52nd Amendment, 1985 (Anti-Defection) • 91st Amendment, 2003 (CoM shall not exceed 15% of the total strength of Lok Sabha) • 104th Amendment Act, 2020 (Abolished) 	<ul style="list-style-type: none"> • Lily Thomas v. UOI • Indira Gandhi v. Raj Narain 	<ul style="list-style-type: none"> • Sessions of Parliament • Devices of Parliamentary proceedings • Process of the 'Bill'

		nomination of Anglo-Indians to Parliament and State Legislature)		
Art. 105	Parliamentary Privileges- a) Individual privileges b) Collective privileges	<ul style="list-style-type: none"> • 44th Amendment, 1978 (Freedom of Press to publish parliamentary proceedings without prior permission of the House) 		
Art. 108	Joint Sitting of Both Houses in certain cases			<ul style="list-style-type: none"> • 'President' can summon a JS to resolve deadlock • No such provision for Money Bills and Constitution Bills
Art. 110	Money Bill defined		<ul style="list-style-type: none"> • Rojer Mathew v. South Indian Bank Ltd ('Aadhaar Bill' as a Money Bill- original petition) • K.S. Puttaswamy v. UOI 	<ul style="list-style-type: none"> • The Speaker decides if the Bill is a <i>Money Bill</i> or not – his decision is final
Art. 112	Annual Financial Statement (Budget)			<ul style="list-style-type: none"> • Departmental Standing Committees • Appropriation and Finance Bill • Demand for Grant • Cut Motions

				<ul style="list-style-type: none"> • Other Grants
Art. 123 Art. 213	<ul style="list-style-type: none"> • Power of President to promulgate ordinance • Similar power to Governor in State 	<ul style="list-style-type: none"> • 44th Amendment, 1978 (President's satisfaction is justiciable on ground of <i>mala fide</i>) 	<ul style="list-style-type: none"> • R.C. Cooper v. UOI • D.C. Wadhwa v. State of Bihar 	<ul style="list-style-type: none"> • Not a discretionary power; the President must consult the Council of Ministers (headed by PM)
Art. 124 Art. 214	<ul style="list-style-type: none"> • Establishment of Supreme Court • High Courts for States 		<ul style="list-style-type: none"> • Kesavananda Bharati v. State of Kerala 	
Art. 131-134	Jurisdiction of Supreme Court- (1) Original (2) Appellate	<ul style="list-style-type: none"> • 99th Amendment, 2014 and National Judicial Appointments Commission (NJAC) Act, 2014 – Both declared unconstitutional 	<ul style="list-style-type: none"> • First Judges Case (1981) • Second Judges Case (1993) • Third Judges Case (1998) • SC Advocates-on-Record-Association and Anr v. UOI 	
Art. 136	Special Leave to Appeal by SC		<ul style="list-style-type: none"> • Dhakeshwari Cotton Mills Ltd. V. Commissioner of Income Tax, West Bengal • Laxmi & Co. v. Anand Deshpande 	<ul style="list-style-type: none"> • Jurisdiction lies with SC, with the exception of military tribunal and court martial. • Form of 'residual power', to be

				exercised when (a) It concerns substantial question of Law (b) Gross injustice has been done.
Art. 137	Review of Judgments/orders by SC		<ul style="list-style-type: none"> Rupa Hurrah v. Ashok Hurrah (<i>curative petition</i>) 	
Art. 142	Enforcement of decrees and orders of SC			Gave rise to 'Judicial Activism'
Art. 143	Power of President to consult the SC (Advisory Jurisdiction)			
Art. 148	Comptroller and Auditor-General of India (CAG)			
Art. 239AA	Special provisions with respect to Delhi	<ul style="list-style-type: none"> 69th Amendment, 1991 (Legislative Assembly and Council of Ministers) The Government of NCT of Delhi (Amendment) Bill, 2021 	<ul style="list-style-type: none"> Govt. of NCT of Delhi v. UOI (Delhi CM and Lt Governor case) 	<ul style="list-style-type: none"> The Assembly can legislate on all State subjects except – Land, Police and Public Order With the 2021 Amendment Bill, the powers of the LG have been widened
Art. 243-	Panchayats-	<ul style="list-style-type: none"> 73rd Amendment, 		<ul style="list-style-type: none"> Age of qualification

243-O	(a) Village (b) Intermediate (c) District	1992 (Added Part IX and Eleventh Schedule) <ul style="list-style-type: none"> The Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996 [PESA] 		to be a member of Panchayat is <u>21 years</u> <ul style="list-style-type: none"> Minimum 1/3rd reservation for Women Panchayat related Committees- <ol style="list-style-type: none"> Balwant Rai Mehta Committee Ashok Mehta Committee G.V.K. Rao Committee L.M. Singhvi Committee 2nd ARC Report
Art. 243P-243ZG	Municipalities- (a) Nagar-Panchayat (b) Municipal Council (c) Municipal Corporation	<ul style="list-style-type: none"> 74th Amendment, 1992 (Added Part IX-A and Twelfth Schedule) 		
Art. 244-244A	Special System of administration for Scheduled areas and Tribal areas			<ul style="list-style-type: none"> Read with the Fifth and Sixth Schedule
Art. 266-267	(1) Consolidated Fund and Public Fund			<ul style="list-style-type: none"> Expenditure- <ol style="list-style-type: none"> Charged on the

	(2) Contingency Fund			Consolidated Fund b) Made from the Consolidated Fund
Art. 280	Finance Commission			
Art. 315	Public Service Commission- Union and State(s)			
Art. 323A-323B	(1) Administrative Tribunals (2) Tribunals for other matters	<ul style="list-style-type: none"> • 42nd Amendment, 1976 (Part XIV-A) • Administrative Tribunal Act 	<ul style="list-style-type: none"> • L. Chandra Kumar v. UOI 	
Art. 324	Election Commission of India	<ul style="list-style-type: none"> • Representation of People Act (1951) 	<ul style="list-style-type: none"> • Indira Gandhi v. Raj Narain • Kamal Nath v. ECI • Lok Prahari v. UOI • Jaya Bachchan v. UOI • People's Union for Civil Liberties v. UOI 	
Art. 325-326	<ul style="list-style-type: none"> • Electoral roll • Adult suffrage 	<ul style="list-style-type: none"> • 61st Amendment, 1988 (Lowered the voting age from 21 to 18 years) 		
Art. 338-	(1) National	<ul style="list-style-type: none"> • 89th Amendment, 		

338B	Commission for Scheduled Caste (2) National Commission for Scheduled Tribe (3) National Commission for Backward Classes	2003 (Separation of NCSC and NCST) • 102 nd Amendment, 2018 (NCBC)		
Art. 343	Official Language of Union			
Art. 352	National Emergency	<ul style="list-style-type: none"> • 42nd Amendment 1976, (executive and legislative powers extend not only to a state where the Emergency is in operation but also to any other state) • 44th Amendment, 1978 – (i) written recommendation of Cabinet required for proclamation of national emergency (ii) substituted ‘internal disturbance’ for ‘Armed rebellion’ 	<ul style="list-style-type: none"> • ADM Jabalpur v. Shivakant Shukla • Minerva Mills v. UOI 	<ul style="list-style-type: none"> • Read with Art. 353, 354, 358. 359

		<p>(iii) The proclamation must be approved by both houses within <u>One month</u> from date of issue (iv) Periodic approval after 6 months by Parliament needed for extension) (v) Judicial review possible (vi) President to revoke proclamation if LS passes a resolution by simple majority</p>		
<p>Art. 355,356,365</p>	<p>State Emergency or President's Rule</p>	<ul style="list-style-type: none"> • 38th Amendment, 1975 • 44th Amendment, 1978 (Restrained the power of Parliament to extend emergency beyond one year and introduced Judicial review regarding the President's 'satisfaction') 	<ul style="list-style-type: none"> • S.R. Bommai v. UOI • Makhan Singh v. State of Punjab 	<ul style="list-style-type: none"> • Read with Art. 357
<p>Art.360</p>	<p>Financial Emergency</p>			<p>No Financial Emergency has been</p>

				declared so far
Art. 368	Power of Parliament to amend the Constitution		<ul style="list-style-type: none"> • Golaknath v. State of Punjab • Kesavananda Bharati v. State of Kerala (Basic Structure Doctrine) 	
Art. 370 (<i>revoked special status to J&K</i>)	Temporary provisions with respect to the State of Jammu and Kashmir	<ul style="list-style-type: none"> • August 2019, Presidential Order • J&K Reorganisation Act, 2019 		<ul style="list-style-type: none"> • Read with Article 35A (<i>repealed</i>) • Conversion of State of J&K into Union Territories of J&K and Ladakh